

State of Iowa  
1924

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# Journal of the House

OF THE

## Fortieth General Assembly

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EXTRA SESSION  
CONVENED DECEMBER 4, 1923  
RECESSED FROM APRIL 26 TO JULY 22, 1924  
ADJOURNED JULY 30, 1924



N. E. KENDALL, Governor  
J. H. ANDERSON, Speaker of the House  
JOHN HAMMILL, President of the Senate

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Des Moines

TO THE  
ASSEMBLY

J87  
I8c  
40th  
4/10/19



## FORTIETH GENERAL ASSEMBLY

### OFFICERS OF THE HOUSE

J. H. ANDERSON, Speaker of the House.....	Thompson
O. A. ONTJES, Speaker Pro Tempore.....	Holland
A. C. GUSTAFSON, Chief Clerk.....	Des Moines
FRANK S. VETTER, Assistant Clerk.....	Grant
ROBERT M. COOK, Reading Clerk.....	Clarksville
HAZEL R. COUTTS, Engrossing Clerk.....	Grinnell
MABEL ELWOOD, Enrolling Clerk.....	Cresco
LILLIAN LEFFERT, Journal Clerk.....	Des Moines
MARGARET CANFIELD, Journal Clerk.....	Des Moines
CHAS. A. LINDENAU, File Clerk.....	Maquoketa
H. L. GORDON, Bill Clerk.....	Clermont
DONALD M. WINTERROWD, Assistant File and Bill Clerk.....	Adelphi
MRS. JEANNETTE COLE, Assistant Postmistress.....	Sioux City
OLEY NELSON, Sergeant-at-Arms.....	Slater
WALTER R. COOK, Assistant Sergeant-at-Arms.....	Des Moines
FRANK B. MILES, Telephone Messenger.....	Clarion
MAURICE FINDLEY, Speaker's Clerk.....	Ft. Dodge

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## ELECTIVE STATE OFFICERS

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## ELECTIVE STATE OFFICERS

Official Address—Des Moines, Iowa

Name	Office	Address
N. E. Kendall	Governor	Albia
John Hammill	Lieutenant Governor	Britt
Walter C. Ramsay	Secretary of State	Belmond
Glenn C. Haynes	Auditor of State	Mason City
W. J. Burbank	Treasurer of State	Waterloo
Ben J. Gibson	Attorney General	Corning
Dwight N. Lewis	Railroad Commissioner	Des Moines
Charles Webster	Railroad Commissioner	Waucoma
Fred P. Woodruff	Railroad Commissioner	Knoxville
May E. Francis	Superintendent of Public Instruction	Waverly
William D. Evans	Judge of Supreme Court	Hampton
Truman S. Stevens	Judge of Supreme Court	Hamburg
Byron W. Preston	Judge of Supreme Court	Oskaloosa
Thomas Arthur	Judge of Supreme Court	Logan
Lawrence DeGraff	Judge of Supreme Court	Des Moines
F. F. Faville	Judge of Supreme Court	Fort Dodge
C. W. Vermillion	Judge of Supreme Court	Centerville

## MEMBERS OF THE SENATE

Fortieth General Assembly

Name	County	Name	County
Abben, Ben C., Jr.	Lyon	Kimberly, D. W.	Scott
Adams, Henry C.	Kossuth	McIntosh, J. A.	Decatur
Baird, W. S.	Pottawattamie	Mantz, H. J.	Audubon
Banta, George S.	Delaware	Mead, O. L.	Butler
Bergman, A. H.	Jasper	Nelson, Julius A.	Cass
Bowman, M. L.	Black Hawk	Newberry, Byron A.	Clayton
Brookhart, J. L.	Washington	Olson, Charles	Boone
Brookins, A. T.	Floyd	Perkins, Geo. B.	Sac
Browne, Charles S.	Jackson	Price, John R.	Monroe
Buser, J. D.	Muscatine	Reed, Carl W.	Howard
Caldwell, W. A.	Mahaska	Rees, S. C.	Fremont
Campbell, Ed. H.	Ia	Ronikay, E. W.	Des Moines
Cessna, T. C.	Poweshiek	Schmedika, Wm.	Hardin
Darting, H. A.	Mills	Scott, Ray P.	Marshall
Dutcher, Chas. M.	Johnson	Shaff, J. O.	Clinton
Ethell, John J.	Davis	Shane, Frank	Wapello
Fulton, Chas. J.	Jefferson	Shinn, A. J.	Harrison
Glichrist, F. C.	Pocahontas	Slosson, J. M.	Worth
Goodwin, Wm. J.	Polk	Smith, Ed. M.	Madison
Hale, J. K.	Jones	Snook, I. N.	Lee
Hartman, George S.	Fayette	Stoddard, B. M.	Woodbury
Haskell, W. G.	Linn	Thurston, Lloyd	Clarke
Holdoegel, Perry C.	Calhoun	Tuck, J. C.	Taylor
Horchem, B. J.	Dubuque	White, Harry C.	Benton
Johnston, James F.	Lucas	Wichman, John E.	Hancock

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## MEMBERS OF THE HOUSE, 40TH GENERAL ASSEMBLY

Name	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Alken, John H.	Ida Grove	47	Farmer	Rep.	59	Ida	39th
Anderson, C. E.	Stratford	36	Farmer	Rep.	62	Webster	
Anderson, J. H.	Thompson	51	Farmer	Rep.	95	Winnebago	36, 37, 38, 39th
Berry, H. S.	Albia	65	Farmer	Rep.	17	Monroe	39th
Blake, William R.	Clermont	44	Newspaper Publisher	Rep.	71	Fayette	39th
Blume, Theo. C.	Hanover		Farmer	Dem.	56	Crawford	
Brady, A. V.	Sanborn	37	Farmer	Rep.	82	O'Brien	39th
Bradley, John	Montezuma	58	Retired Farmer	Rep.	39	Poweshiek	38, 39th
Brittain, David	Van Meter	51	Farmer	Rep.	28	Madison	
Buffington, C. R.	Glenwood	58	Farmer	Rep.	11	Mills	39th
Carter, L. V.	Lawn Hill	43	Farmer	Rep.	64	Hardin	39th
Children, William C.	Council Bluffs	46	Farmer	Rep.	31	Pottawattamie	39th
Clark, C. F.	Cedar Rapids	51	Lawyer	Rep.	48	Linn	38, 39th
Colbert, W. J.	Creston	53	Farmer	Rep.	14	Union	39th
Cole, E. J.	Woodbine	57	Physician	Dem.	32	Harrison	
Criswell, W. S.	Madrid	52	Farmer	Rep.	53	Boone	39th
Dewar, H. C.	Cherokee	52	Farmer	Rep.	79	Cherokee	
Diltz, Volney	Des Moines	33	Lawyer	Rep.	37	Polk	
Donhowe, H. N.	Story City	50	Banker	Rep.	52	Story	39th
Dooley, W. J.	Keosauqua	54	Farmer	Dem.	2	Van Buren	
Doolittle, Clyde H.	Manchester	28	Lawyer	Rep.	68	Delaware	39th
Dotts, A. G.	Corydon	51	Farmer and Stockman	Rep.	5	Wayne	
Edge, George W.	Newton	50	Farmer	Rep.	38	Jasper	
Edson, W. C.	Storm Lake	48	Lawyer	Rep.	78	Buena Vista	38, 39th
Elliott, Frank W.	Davenport	37	Mgr. School of Chiro.	Rep.	43	Scott	39th
Fackler, S. E.	Prescott	55	Mercantile and Farming	Rep.	13	Adams	39th
Forsling, L. B.	Sioux City	33	Lawyer	Rep.	58	Woodbury	39th
Frahm, Henry	Manning	49	Farming	Dem.	55	Carroll	
Gallagher, J. P.	Williamsburg		Farmer	Dem.	40	Iowa	
Garber, R. O.	Adair	35	Lawyer	Rep.	29	Adair	39th
Garber, J. S.	Marble Rock	57	Farming	Rep.	88	Floyd	38, 39th
Gesman, N. J.	Pella	57	Real Estate	Dem.	26	Marion	

Ottum, D. M.	Osceola	54	Farmer	Rep.	16	Clark	39th
Hilbert, P. H.	State Center	38	Lawyer	Rep.	51	Marshall	39th
Gilbertson, O.	Ducorah	01	Farmer	Rep.	01	Winneshiek	39th
Gilmore, William	Tipton	00	Banker	Rep.	44	Cedar	36, 37, 38, 39th
Graham, S. L.	Ottumwa		Retired Merchant	Rep.	18	Wapello	39th
Grimwood, E. A.	Oxford Junction	58	Druggist	Rep.	47	Jones	39th
Hansen, John T.	Davenport	64	Farmer	Rep.	43	Scott	37, 38th
Harrison, E. P.	Oakland	39	Publisher	Rep.	31	Pottawattamie	39th
Hattendorf, H. C.	Ocheyedan	54	Farmer	Rep.	08	Osceola	
Hauge, A. O.	Des Moines	43	Banker	Rep.	37	Polk	
Healy, E. P.	Britt	70	Banker	Rep.	80	Hancock	38, 39th
Held, G. E.	Hinton	45	Farmer	Rep.	80	Plymouth	39th
Hempel, J. G.	Elkader	02	Clothier	Rep.	70	Clayton	39th
Henderson, M. L.	Randall	58	Farmer	Rep.	63	Hamilton	
Himebaugh, Fred.	Estherville	34	Farmer	Rep.	98	Emmett	
Hollis, C. A.	Cedar Falls	48	Farmer	Rep.	66	Black Hawk	
Huff, Charles W.	Massena	49	Farmer	Rep.	30	Case	39th
Johnson, Francis	Terrill	32	Farmer	Rep.	97	Dickinson	
King, James A.	Spencer	46	Farmer	Rep.	83	Clay	
Knutson, C. A.	Clear Lake	37	Hardware Merchant	Rep.	87	Cerro Gordo	
Lake, Frank C.	Sioux City	43	Newspaper Publisher	Rep.	58	Woodbury	37, 38, 39th
Leonard, Arthur	Corning	53	Farmer	Rep.	8	Taylor	
Letts, C. F.	Ainsworth	45	Farmer and Feeder	Rep.	23	Washington	39th
Lichty, E. M.	Waterloo	55	Farmer	Rep.	66	Black Hawk	
Liebernecht, Ernst	Wapello	39	Farmer	Rep.	22	Louisa	
Long, Wm. L.	Fairfield	61	Sec. Building Corp.	Rep.	19	Jefferson	38, 39th
Lovrien, Fred C.	Humboldt	47	Attorney	Rep.	76	Humboldt	
Mathews, Howard A.	Danville	56	Farmer	Rep.	21	Des Moines	
Matthieson, E. C.	Clinton	68	Farmer	Dem.	45	Clinton	
McClune, J. C.	Oskaloosa	51	Live Stock Breeder	Rep.	25	Mahaska	39th
Miller, Geo. E.	Harlan	46	Farmer	Dem.	33	Shelby	
Moen, T. E.	Inwood	52	Farmer	Rep.	99	Lyon	38, 39th
Napier, T. W.	Mt. Ayr	50	Farmer	Rep.	7	Ringgold	
Natvig, Ole	Creco	59	Farmer	Rep.	92	Howard	
Noble, A. C.	Muscatine	62	Live Stock, Bank Dir.	Rep.	42	Muscatine	
O'Donnell, T. J.	Dubuque	50	Salesman and Real Est.	Dem.	69	Dubuque	37, 38, 39th
Oliver, C. G.	Onawa	59	Farmer	Rep.	57	Monona	
Olson, John	Calamus	37	Farmer	Rep.	45	Clinton	39th
Ontjes, O. A.	Holland	45	Banker	Rep.	65	Grundy	39th
Orr, John	Thornburg	72	Farmer	Rep.	24	Keokuk	39th
Patterson, Geo. W.	Burt	35	Farmer	Rep.	85	Kossuth	
Parsons, Thomas	Farnhamville	67	Farmer	Rep.	61	Calhoun	38, 39th

## MEMBERS OF THE HOUSE—Continued

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Name	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Peterson, Nels	Olds	65	Farmer	Rep.	20	Henry	39th
Potts, Geo. W.	Ft. Madison	32	Attorney	Dem.	1	Lee	
Powers, T. E.	Clarinda	65	Physician	Rep.	9	Page	
Quirk, L. T.	Wall Lake	48	Farmer	Rep.	60	Sac.	
Ramsey, J. M.	Clarksville	52	Editor and Publisher	Rep.	73	Butler	39th
Rankin, John M.	Keokuk	49	Lawyer	Rep.	1	Lee	39th
Rassler, A. G.	Palmer	48	Farmer	Rep.	77	Pocahontas	
Rewoldt, Fred, Jr.	Frederika	36	Farmer and Merchant	Dem.	72	Bremer	
Rhinehart, Chas.	Dallas Center	46	Farmer	Rep.	36	Dallas	
Robson, Paul N.	Scranton	27	Farmer	Rep.	54	Greene	
Rumley, Ralph L.	Leon			Rep.	6	Decatur	
Rust, Heike A.	Sheffield	38	Farmer	Rep.	74	Franklin	
Sampson, F. C.	Audubon	41	Farmer	Rep.	34	Audubon	39th
Saunders, Wm. E. G.	Emmetsburg	57	Banker and Real Est.	Ind.	84	Palo Alto	
Schirmer, W. F.	Bellevue	49	Editor and Publisher	Rep.	46	Jackson	39th
Schulte, H. B.	Manly	59	Farmer	Rep.	94	Worth	39th
Scott, C. H.	Centerville	60	Farmer	Rep.	4	Appanoose	37, 38, 39th
Scott, W. C.	Farragut	58	Insurance Salesman	Rep.	10	Fremont	39th
Slemmons, Geo. F.	Independence	47	Farmer	Rep.	67	Buchanan	30th
Smith, C. D.	Russell	65	Farmer	Dem.	16	Lucas	
Smith, Ward B.	Nashua	63	Retired Farmer	Rep.	89	Chickasaw	
Stock, Theodore B.	Waukon			Dem.	90	Allamakee	
Stookesberry, Arthur	Floris	40	Farmer	Dem.	3	Davis	
Storey, John A.	Indianola	71	Banker	Rep.	27	Warren	20, 21, 39th
Strippel, Werner	Vinton	58	Banker	Rep.	49	Benton	
Ulstad, Oscar	Holmes	55	Farmer	Rep.	75	Wright	37, 38, 39th
Venard, G. L.	Hawarden	62	Farmer	Rep.	81	Sloux	39th
Vincent, Earl W.	Guthrie Center	36	Lawyer	Rep.	35	Guthrie	
Wamstad, Brede	Osage	44	Farmer	Rep.	93	Mitchell	39th
Weber, John H.	Cascade	56	Druggist	Dem.	69	Dubuque	39th
Wilson, W. Walter	Traer	53	Farmer	Rep.	50	Tama	
Williams, Alfred	Villsca	47	Farmer	Rep.	12	Montgomery	
Wolfe, Thomas L.	Mt. Vernon	50	Physician and Surgeon	Rep.	48	Linn	
Yenter, Ray A.	Iowa City	35	Lawyer	Rep.	41	Johnson	39th

Republicans, 91. Democrats, 16. Independent, 1.

MEMBERS OF THE HOUSE

## HOUSE COMMITTEES

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### HOUSE COMMITTEES

#### AGRICULTURE

Brady, Chairman King Slemmons Children Scott, C. H. Garber, J. S. Anderson, C. E. Williams Dewar Patterson Peterson Blume	Sampson Quirk Lichty Schulte Wamstad Henderson Napier Natvig Frahm Hansen Wilson Mathews	Gibson Parsons Lieberknecht Buffington Rhinehart Leonard Venard Gilbertson Orr Huff Johnson Oliver	Carter Smith, W. B. Alken Rust Smith, C. D. Rassler Miller Ulstad Hattendorf Letts Gallagher Robson
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#### ANIMAL INDUSTRY

Children, Chairman Williams Mathlesen Yenter	Brittain Gallagher Robson Stookesberry Noble	Olson Hollis Strippel Wolfe Long	Held Criswell Hansen McClune Rumley
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#### APPROPRIATIONS

Hauge, Chairman Harrison Brittain McClune Dooley King Napier Wolfe Strippel Gibson	Leonard Dotts O'Donnell Olson Lichty Slemmons Children Garber, J. S. Ulstad Berry	Stookesberry Himebauch Anderson, C. E. Williams Graham Yenter Gilbertson Stock Powers Hansen	Cole Dewar Donhowe Hattendorf Schirmer Lieberknecht Fackler Blume Rumley
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#### BANKS AND BANKING

Donhowe, Chairman Storey Healy Gilbert Ontjes	Colbert Hauge Schulte Dewar Strippel Gibson	Rhinehart Stock Scott, W. C. Weber Gilmore Cole	Oliver Himebauch Saunders Robson
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#### BOARD OF CONTROL

Lake, Chairman Vincent Carter Rewoldt	Williams Blake Blume Rankin Wolfe	Edson Criswell Hansen Grimwood Weber	Rhinehart Powers Scott, W. C. Harrison
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#### BUILDING AND LOAN

Olson, Chairman Huff Patterson	Peterson Robson Wilson  Carter	Bradley Leonard Fackler	Gesman Doolittle Brady
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#### CLAIMS

Colbert, Chairman Donhowe	Orr Sampson Scott, C. H.	Napier Rust Smith, W. B.	Garber, R. O. Saunders
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#### CODE REVISION COMMITTEE

Gilbert, Chairman Doolittle Saunders	Clark, C. F. Edson Gilmore	Harrison Storey Williams	McClune Patterson
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## HOUSE COMMITTEES

## COMMERCE AND TRADE

Fackler, Chairman Weber Noble	Gesman Blume Schirmer	Long Sampson Saunders	Hauge Held Henderson
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## COMPENSATION OF PUBLIC OFFICERS

Wamstad Chairman Bradley Children	Mathews Matthiesen Moen Lieberknecht	Ulstad Lichty Johnson Dooley	Rassler Frahm McClune
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## CONSERVATION OF RESOURCES

Schirmer Chairman Storey	Ramsey Sampson Ulstad	Garber, R. O. Doolittle Healy	Saunders Wolfe
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## CONSTITUTIONAL AMENDMENTS

Garber, R. O., Chairman McClune	Garber, J. S. Peterson Forsling Orr	Healy Gallagher Blume	Colbert Rhinehart Schirmer
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## COUNTY AND TOWNSHIP ORGANIZATION

Gibson, Chairman Hempel Brittain Schulte	Parsons Leonard Venard Stokesberry	Smith, W. B. Wilson Peterson Ontjes	Powers Vincent Slemmons
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## DAIRY AND FOOD

Criswell, Chairman Henderson Edge Hollis	Knutson Lieberknecht Buffington Venard	Fackler Huff Dooley Smith, W. B.	Rust Stock Rumley
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## DEPARTMENTAL AFFAIRS

Sampson, Chairman Colbert	Anderson, C. E. Alken Potts	McClune O'Donnell Gilmore	Moen Harrison Wamstad
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## DRAINAGE

Parsons, Chairman Patterson Donhowe Hattendorf	Healy Matthiesen King Noble Schulte Edson	Frahm Wilson Mathews Lieberknecht Oliver Wamstad	Miller Rust Held Brady Henderson
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## ELECTIONS

Graham, Chairman Hollis Ramsey Smith, C. D. Edge	Matthiesen Noble Huff Olson Donhowe Natvig	Alken Gilmore Rassler Berry Blume Brady	Carter Dewar Dooley Held Rumley
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## ENROLLED BILLS

Letts, Chairman Himebauch	Johnson Slemmons Rhinehart	Gilbert Patterson Rewoldt	Stokesberry Rust
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## HOUSE COMMITTEES

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### FISH AND GAME

Knutson, Chairman Ramsey Scott, C. H.	Orr Powers King Quirk	Strippel Buffington Frahm Johnson	Himebauch Dooley Letts Lichty
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### INSURANCE

Garber, J. S., Chairman Hempel Williams Forsling Children Donhowe	Clark Rassler Yenter Patterson Brittain Blume Garber, R. O. Wamstad	Rankin Diltz Peterson O'Donnell Vincent Scott, W. C. Gesman Runley	Lovrien Saunders Knutson Graham Dewar Blake Himebauch
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### JUDICIAL DISTRICTS

Storey, Chairman Garber, J. S.	Gibson Schulte Orr	Doolittle Gilbertson Quirk	Healy Lovrien
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### JUDICIARY

Clark, Chairman Doolittle Garber, R. O. Rankin Edson Forsling Storey O'Donnell	Diltz Gilbert Lovrien Potts Vincent Yenter McClune Ramsey	Lake Grimwood Sampson Johnson Gallagher Saunders Carter Ontjes	Long Bradley Rewoldt Elliott Letts Oliver
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### LAND TITLES

Buffington, Chairman Matthieson	Edge Anderson, C. E. Stemmons Gesman	Stokesberry Miller Gilbertson Knutson	Hempel Vincent King
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### LABOR

Ulstad, Chairman Criswell Diltz Berry Potts	Lake Scott, C. H. O'Donnell Graham Brady	Olson Rankin Gesman Smith, C. D. Mathews	Dotts Smith, W. B. Blake
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### MILITARY

Yenter, Chairman Rankin Garber, R. O.	Forsling Doolittle Gilbert	Edson Fackler Letts	Robson Diltz
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### MINER AND MINING

Scott, C. H., Chairman Anderson, C. E. Dooley	Orr Berry Ramsey Gesman	Brittain Peterson Criswell Smith, C. D.	Stokesberry Dotts
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### MOTOR VEHICLES AND TRANSPORTATION

McClune, Chairman Elliott Hempel Dewar Ontjes Scott, W. C. Orr	Huff Rewoldt Smith, C. D. Aiken Stemmons Gilbert Hattendorf Williams	Brittain Garber, R. O. Noble Dotts Olson Robson Strippe Wolfe	Criswell Natvig Gibson Bradley Lieberknecht Venard
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## HOUSE COMMITTEES

## MUNICIPAL CORPORATIONS

Forsling, Chairman Gilbert Hempel Edson Blake Yenter	Diltz Noble O'Donnell Hauge Mathews Grimwood Stock	Powers Weber Gilmore Geaman Strippel Berry Harrison	Clark Himebauch Matthieson Knutson Ramsey Lovrien Elliott
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Potts

## PHARMACY

Grimwood, Chairman	Powers Weber	Cole Elliott	Wolfe Potts
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Lichty

## POLICE REGULATIONS

Hansen, Chairman Forsling	Elliott Yenter Oliver	Rankin Hollis Blake	Ramsey Gallagher
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## PRINTING

Harrison, Chairman Ramsey	Blake Schirmer Lake	Ontjes Huff Moen	Natvig Miller
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## PRIVATE CORPORATIONS

Doolittle, Chairman Garber, J. S.	Forsling Elliott Napier	Ulstad Grimwood Henderson	Graham Lovrien
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## PUBLIC HEALTH

Elliott, Chairman Powers Wolfe Weber Lichty	Grimwood Scott, C. H. Napier Natvig Gilbertson	Edge Cole Held Donhowe Colbert	Strippel Leonard Storey Buffington Fackler
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Diltz

## PUBLIC LANDS AND BUILDINGS

Long, Chairman Stemmons	Graham McClune	Quirk Storey Scott, C. H.	Cole Smith, C. D.
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## PUBLIC UTILITIES

Blake, Chairman Smith, W. B. Graham	Hattendorf Noble Brittain	Gallagher Peterson Frahm	Stock Rankin Geaman
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Rumley

## RAILROADS

Rankin, Chairman Gilmore Aiken Miller Brady	Rhinehart Parsons Frahm Diltz Rewoldt	Lake Dotts Ulstad Moen Mathews	Anderson, C. E. Dooley Long Blake
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## ROADS AND HIGHWAYS

Edson, Chairman Johnson Fackler Parsons Garber, J. S. Anderson, C. E. Moen Saunders Hauge	Hollis Schulte Henderson Rust Wilson Smith, W. B. Berry Knutson Healy Miller	Himebauch Children Storey Leonard Letts Wamstad Patterson King Peterson Rumley	Quirk Ulstad Hansen Lovrien Brady Scott, W. C. Gallagher Frahm Gilbertson
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## HOUSE COMMITTEES

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### RETRENCHMENT AND REFORM

<b>Hauge, Chairman</b>	Moen	Clark	O'Donnell
	Cole		

### RULES

<b>Ontjes, Chairman</b>	Miller	Lake	Stock
Gilmore	Lovrien	Grimwood	

### SCHOOLS AND TEXTBOOKS

<b>Carter, Chairman</b>	Schirmer	Storey	Doolittle
Graham	Natvig	Johnson	Berry
Williams	Mathews	Weber	Rust
King	Bradley	Long	Held
Edson	Buffington	Sampson	Clark
Henderson	Leonard	Quirk	Harrison
Napier	Stock	Lichty	Garber, R. O.
	Hauge		

### STATE EDUCATIONAL INSTITUTIONS

<b>Healy, Chairman</b>	Clark	Harrison	Edson
Wolfe	Hattendorf	Gilbert	Parsons
Bradley	Letts	Potts	Hanson
	Rust	Schirmer	

### SUPPRESSION OF INTEMPERANCE

<b>Bradley, Chairman</b>	Rassler	Lieberknecht	Rewoldt
Lovrien	Venard	Dewar	Smith, C. D.
Mathews	Hattendorf	Scott, W. C.	Stokesberry
Quirk	Napier	Vincent	

### TELEPHONE, TELEGRAPH AND EXPRESS

<b>Held, Chairman</b>	Colbert	Venard	Alken
Hollis	Olson	Rassler	Hempel
Edge	Wilson	Cole	Dotts
Sampson	Gibson	Oliver	

### WAYS AND MEANS

<b>Moen, Chairman</b>	Miller	Patterson	Rassler
Henderson	Matthiesen	Criswell	Huff
Saunders	Wilson	Natvig	Oliver
Held	Potts	Dooley	Carter
Healy	Gilmore	Parsons	Doolittle
Robson	Lake	Buffington	Alken
Elliott	Colbert	Rhinehart	Knutson
Hempel	Rewoldt	Storey	Clark
Edge	Vincent	Venard	Wamstad
Ontjes	Hollis	Septt. W. C.	Blake



# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, WEDNESDAY, APRIL 18, 1923.

Pursuant to the proclamation of the Governor, convening the Fortieth General Assembly in extra session, the House was called to order by Speaker Anderson, at 10 a. m.

Upon motion of Clark of Linn, A. C. Gustafson was made temporary chief clerk.

The roll was called to ascertain if there was a quorum present.

Those present were:

Aiken	Frahm	Lieberknecht	Rumley
Anderson of Webster	Gallagher	Long	Rust
Berry	Garber of Adair	Lovrien	Sampson
Blake	Garber of Floyd	McClune	Saunders
Blume	Gesman	Mathews	Schirmer
Bradley	Gibson	Matthiesen	Schulte
Brady	Gilbert	Miller	Scott of Appanoose
Brittain	Gilbertson	Moen	Scott of Fremont
Buffington	Gilmore	Napier	Slemmons
Carter	Graham	Natvig	Smith of Chickasaw
Children	Grimwood	Noble	Smith of Lucas
Clark	Harrison	O'Donnell	Stock
Colbert	Hattendorf	Oliver	Stokesberry
Cole	Hauge	Olson	Storey
Criswell	Healy	Ontjes	Strippel
Dewar	Held	Orr	Ulstad
Diltz	Hempel	Parsons	Venard
Donahoe	Henderson	Peterson	Vincent
Dooley	Himebauch	Potts	Wamstad
Doolittle	Hollis	Powers	Weber
Dotts	Huff	Quirk	Williams
Edge	Johnson	Ramsey	Wilson
Edson	King	Rankin	Wolfe
Elliott	Knutson	Rassler	Yenter
Fackler	Leonard	Rewoldt	Mr. Speaker—105
Forsling	Letts	Rhinehart	
	Lichty	Robson	

Those absent were:

Hansen                      Lake                      Patterson—3

Diltz of Polk moved that A. C. Gustafson be made permanent chief clerk of the House.

On the question "Shall A. C. Gustafson be made permanent chief clerk of the House?"

The ayes were:

Aiken	Frahm	Lieberknecht	Rumley
Anderson of Webster	Gallagher	Long	Rust
Berry	Garber of Adair	Lovrien	Sampson
Blake	Garber of Floyd	McClune	Saunders
Blume	Gesman	Mathews	Schirmer
Bradley	Gibson	Matthiesen	Schulte
Brady	Gilbert	Miller	Scott of Appanoose
Brittain	Gilbertson	Moen	Scott of Fremont
Buffington	Gilmore	Napier	Slemmons
Carter	Graham	Natvig	Smith of Chickasaw
Children	Grimwood	Noble	Smith of Lucas
Clark	Harrison	O'Donnell	Stock
Colbert	Hattendorf	Oliver	Stokesberry
Cole	Hauge	Olson	Storey
Criswell	Healy	Ontjes	Strippel
Dewar	Held	Orr	Ulstad
Diltz	Hempel	Parsons	Venard
Donhowe	Henderson	Petersen	Vincent
Dooley	Himebauch	Potts	Weber
Doolittle	Hollis	Powers	Williams
Dotts	Huff	Quirk	Wilson
Edge	Johnson	Ramsey	Wolfe
Edson	King	Rankin	Yenter
Elliott	Knutson	Rassler	Mr. Speaker—104
Fackler	Leonard	Rewoldt	
Forsling	Letts	Rhinehart	
	Lichty	Robson	

The nays were, none.

Absent or not voting:

Hansen	Lake	Patterson	Wamstad—4
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So A. C. Gustafson was declared duly elected as permanent chief clerk, and the oath of office was administered by the Speaker.

Wilson of Tama moved that a committee of three be appointed to notify the Governor that the House was organized and ready to receive any communication he might desire to transmit.

Motion was adopted and the Speaker appointed as such committee, Wilson of Tama, Quirk of Sac and Miller of Shelby.

Ulstad of Wright moved that a committee of three be appointed to notify the Senate that the House was duly organized and ready to receive any communication it might desire to transmit.

Motion was adopted and the Speaker appointed as such committee, Ulstad of Wright, Ramsey of Butler and Dotts of Wayne.

The committee appointed to notify the Senate that the House was duly organized reported that it had performed its duty. The committee was discharged.

A committee from the Senate appeared to inform the House that the Senate was duly organized and ready to receive any communication the House might desire to transmit.

The committee appointed to notify the Governor that the House was duly organized and ready to receive any communication he might desire to transmit reported it had performed its duty. The committee was discharged.

#### HOUSE CONCURRENT RESOLUTION

Hauge of Polk offered the following concurrent resolution:

*Be It Resolved by the House, the Senate concurring, That the President and secretary of the Senate and Speaker and chief clerk of the House are hereby authorized and directed to certify to the auditor of state the names of such officers and employes as have been retained temporarily for the performance of their duties on the first day of the special session, together with the compensation of each at the same rate as provided for the regular session of the Fortieth General Assembly, and the auditor is hereby authorized to draw warrants in favor of such officers and employes in the amounts so certified.*

Mr. Hauge moved the adoption of the concurrent resolution. Motion prevailed and the concurrent resolution was adopted.

#### INTRODUCTION OF BILLS

House File No. 1, by Moen of Lyon, a bill for an act to repeal section fifty-five (55), chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (C. C. 2962), relating to township road levy, and to repeal subsection five (5), section thirteen hundred three (1303), supplemental supplement to the code, 1915, as amended by chapter six (6), acts of the Thirty-seventh General Assembly, and as amended by section fifty-four (54), chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (C. C. 2870), relating to county road building levy, and to amend section fifteen hundred seventy-b two (1570-b2), supplement to the code, 1913, as amended by chapter two hundred

forty-two (242), acts of the Thirty-eighth General Assembly (C. C. 2982), relating to the road dragging levy.

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

Section 1. That the law as it appears in section fifty-five (55), chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (C. C. 2962), is hereby repealed.

Sec. 2. That the law as it appears in subsection five (5) of section thirteen hundred three (1303), supplemental supplement to the code, 1915, as amended by chapter six (6), acts of the Thirty-seventh General Assembly, and as amended by section fifty-four (54) of chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly, is hereby repealed.

Sec. 3. That the law as it appears in section fifteen hundred seventy-b two (1570-b2) supplement to the code, 1913, as amended by chapter two hundred forty-two (242), acts of the Thirty-eighth General Assembly (C. C. 2982) is hereby amended by striking out the word "shall" following the figures "1907" in the first line on page five hundred seventy-two (572) of the supplement to the code, 1913, and inserting in lieu thereof the word "may".

Sec. 4. 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 the Des Moines Capital, newspapers published in Des Moines, Iowa.

Read first and second times and passed on file.

#### CONSIDERATION OF BILLS

House File No. 1, a bill for an act to repeal section fifty-five (55), chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (C. C. 2962), relating to township road levy, and to repeal subsection five (5), section thirteen hundred three (1303), supplemental supplement to the code, 1915, as amended by chapter six (6), acts of the Thirty-seventh General Assembly, and as amended by section fifty-four (54), chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (C. C. 2870), relating to county road building levy, and to amend section fifteen hundred seventy-b two (1570-b2), supplement to the code, 1913, as amended by chapter two hundred forty-two

(242), acts of the Thirty-eighth General Assembly (C. C. 2982), relating to the road dragging levy, was taken up for consideration.

O'Donnell of Dubuque moved that the House do now adjourn until 10:00 a. m. Thursday.

Himebauch of Emmet moved to amend the motion by changing the hour from 10:00 a. m. to 9:00 a. m.

Amendment adopted.

The motion as amended was lost.

Children of Pottawattamie moved that the rules of the House of the Fortieth General Assembly be adopted, so far as applicable, as the rules of the extra session of the Fortieth General Assembly. Motion prevailed.

Moen of Lyon moved that the rule prohibiting the second and third readings of a bill on the same day be suspended.

A roll call was demanded.

On the question "Shall the rule prohibiting the second and third readings of a bill on the same day be suspended?"

The ayes were:

Anderson	Garber of Adair	Long	Sampson
of Webster	Garber of Floyd	Lovrien	Saunders
Blake	Gesman	McClune	Schirmer
Bradley	Gibson	Mathews	Schulte
Brady	Gilbert	Matthiesen	Scott of Fremont
Brittain	Gilbertson	Moen	Slemmons
Buffington	Gilmore	Napier	Smith
Carter	Graham	Noble	of Chickasaw
Clark	Grimwood	Oliver	Smith of Lucas
Colbert	Hattendorf	Olson	Stock
Cole	Hauge	Ontjes	Stookesberry
Criswell	Healy	Parsons	Storey
Dewar	Held	Patterson	Strippel
Donhowe	Hempel	Peterson	Ulstad
Dooley	Henderson	Powers	Venard
Doolittle	Himebauch	Ramsey	Vincent
Dotts	Hollis	Rankin	Wamstad
Edson	Johnson	Rewoldt	Weber
Elliott	Knutson	Rhinehart	Williams
Fackler	Leonard	Robson	Wilson
Forsling	Letts	Rumley	Yenter
Frahm	Lichty	Rust	Mr. Speaker—88
Gallagher	Lieberknecht		

The nays were:

Aiken	Blume	Children	O'Donnell—4
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## Absent or not voting:

Berry	Huff	Orr	Scott of
Diltz	King	Potts	Appanoose
Edge	Lake	Quirk	Wolfe—16
Hansen	Miller	Rassler	
Harrison	Natvig		

So the rule was suspended.

The House resumed consideration of House File No. 1.

Oliver of Monona moved the previous question. Motion prevailed.

Moen of Lyon moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Anderson of	Garber of Floyd	Lovrien	Sampson
Webster	Gibson	McClune	Saunders
Blake	Gilbert	Mathews	Schirmer
Bradley	Gilmore	Matthiesen	Schulte
Brady	Graham	Miller	Scott of Fremont
Brittain	Grimwood	Moen	Slemmons
Buffington	Hattendorf	Noble	Smith of
Carter	Hauge	Oliver	Chickasaw
Clark	Healy	Olson	Stock
Colbert	Held	Ontjes	Stookesberry
Cole	Hempel	Parsons	Storey
Criswell	Henderson	Patterson	Strippel
Dewar	Himebauch	Peterson	Venard
Diltz	Hollis	Quirk	Vincent
Donhowe	Johnson	Ramsey	Wamstad
Dooley	King	Rankin	Weber
Doolittle	Knutson	Rewoldt	Williams
Dotts	Letts	Rhinehart	Wilson
Edson	Lichty	Robson	Wolfe
Elliott	Lieberknecht	Rumley	Yenter
Gallagher	Long	Rust	Mr. Speaker—83
Garber of Adair			

## The nays were:

Aiken	Childrer	Napler	Smith of
Blume	Leonard	Powers	Lucas—7

## Absent or not voting:

Berry	Gesman	Lake	Rassler
Edge	Gilbertson	Natvig	Scott of
Fackler	Hansen	O'Donnell	Appanoose
Forsling	Harrison	Orr	Ulstaad—18
Frahm	Huff	Potts	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor:

*To the Senate and House of Representatives of the Fortieth General Assembly:*

Gentlemen: In the exercise of the power vested in me by Section 11, Article IV of the Constitution, I have convened the Fortieth General Assembly in extraordinary session to conclude the revision of the code. In taking this action I in no measure renounce the conviction I expressed last January that the work was possible of accomplishment at the session then opening without serious interference with the routine business of the Assembly. But there was submitted to me the written report of your authorized joint committee advising me that at the regular session just adjourned conscientious effort was made in the direction of code revision and that it could not be completed at such session, supplemented by a concurrent resolution adopted with practical unanimity that a special session is necessary therefor. The formal and solemn judgment thus announced by the legislature is entitled to high consideration, and the executive is not at liberty to disregard it. The recommendation of the Senate and House is, therefore, acquiesced in because it is apparent (1) That no revision will be effected otherwise and (2) That unless revision is speedily consummated the vast sum already expended by the state in preliminary preparation may be wholly forfeited.

The immense importance of the work upon which you are now entering cannot be overstated. Your function is nothing less than to revise, reconstruct and recodify the statutes which have been formulated for the government of Iowa throughout the nearly eighty years of her statehood; and it is no exaggeration to prophesy that the result of your faithful and diligent labor when crystallized into a compact code will remain without material alteration as the fundamental law of the commonwealth for the ensuing quarter of a century. No graver duty ever was devolved upon the selected delegates of a free and enlightened electorate than that which you undertake today. While I believe the people expect that duty to be discharged expeditiously, I know they insist that it be discharged thoroughly. I beg to assure you that throughout your deliberations every energy that I possess will be cheerfully exerted in earnest and cordial cooperation with you to produce such re-statement of the law as shall command the unqualified indorsement of all who are amenable to its provisions.

I ask your indulgence for one further observation. The appropriations authorized by the regular session are fabulous in their aggregate, and to realize funds for their disbursement a substantial increase in the tax levy may be inevitable. Allow me the suggestion that while in special session these appropriations be carefully and minutely reviewed, and if, without impairment of the public service, any can be reduced or post-

poned or repealed, that such reduction, postponement or repeal be promptly and fearlessly ordered.

I cannot forego the opportunity to congratulate you sincerely upon the record you established at the regular session. While several measures of great merit failed to command your approval, so much excellent legislation was enacted that in my opinion the achievements of the Fortieth General Assembly will sustain favorable comparison with those of any of its predecessors.

Respectfully submitted,

N. E. KENDALL,  
Governor.

April 18, 1923.

#### 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 providing for a recess of the extra session of the Fortieth General Assembly.

Also, 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 relating to township road levy, the county road building levy and the road dragging levy.

L. W. AINSWORTH, *Secretary.*

#### SENATE CONCURRENT RESOLUTION CONSIDERED

Criswell of Boone called up the Senate concurrent resolution relative to a recess of the Fortieth General Assembly in extra session.

*Resolved by the Senate, the House concurring,* That when the extra session of the Fortieth General Assembly adjourns, April 18th, it adjourn to meet Tuesday, December 4, 1923, at ten o'clock a. m.

Unanimous consent having been obtained to consider the concurrent resolution at this time, Mr. Criswell moved that the House concur. Motion prevailed and the House concurred.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File No. 1.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 1.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 18th day of April, 1923, sent to the Governor for his approval: House File No. 1.

C. F. LETTS, *Chairman.*

Report adopted.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House concurrent resolution relative to compensation of temporary employes on the first day of the special session of the Fortieth General Assembly.

L. W. AINSWORTH, *Secretary.*

Moen of Lyon moved that the House do now adjourn.

Motion prevailed and the Speaker announced that, in pursuance of concurrent resolution duly adopted, the House was adjourned until December 4, 1923, at 10:00 a. m.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 4, 1923.

Pursuant to adjournment of the Fortieth General Assembly, convened in special session by proclamation of the Governor, on April 18, 1923, the House was called to order by Speaker Anderson at 10 a. m.

Prayer was offered by the Rev. Paul H. Andreen, pastor of the Bethany English Lutheran church, Des Moines.

Journal of April 18, 1923, corrected and approved.

## COMMITTEE ON MILEAGE

Donhowe of Story moved that a committee of three be appointed by the Speaker to ascertain the mileage due each member and report to the House.

Motion prevailed, and the Speaker appointed the following members: Donhowe of Story, Lieberknecht of Louisa, and Letts of Washington.

## COMMITTEE TO ARRANGE COMMITTEE ROOMS

Saunders of Palo Alto moved that a committee of three be appointed by the Speaker to arrange for committee rooms for the various standing committees, and the time of meeting.

Motion prevailed, and the Speaker appointed the following members: Saunders of Palo Alto, Children of Pottawattamie, and Johnson of Dickinson.

## COMMITTEE TO ARRANGE FOR MINISTERS

Held of Plymouth moved that a committee of one be appointed by the Speaker to arrange for ministers to open the House with prayer.

Motion prevailed, and the Speaker appointed as member of such committee, Held of Plymouth.

## COMMUNICATION FROM THE GOVERNOR

Speaker Anderson submitted the following communication from the Governor:

Des Moines, Iowa, April 23, 1923.

HON. J. H. ANDERSON,

*Speaker of the House of Representatives.*

MY DEAR MR. SPEAKER: I return herewith without my approval to the House in which it originated, House File No. 1, Special Session, Fortieth General Assembly.

As I understand it, this measure was intended to become operative only in the event that Senate File No. 273 and Senate File No. 759 become effective, and since I have deposited them in the office of the Secretary of State with my disapproval, the instant bill for obvious reasons should not be enacted into law.

Always with personal regard, I am

Very truly yours,

N. E. KENDALL, *Governor.*

## SELECTION OF OFFICERS AND EMPLOYEES

Moen of Lyon, from the committee on retrenchment and reform, submitted the following report and moved its adoption:

REPORT OF THE RETRENCHMENT AND REFORM COMMITTEE  
OF THE FORTIETH GENERAL ASSEMBLY.

*Whereas*, The House Concurrent Resolution adopted April 16, 1923, page 1575 of the Senate Journal, directed the committee on retrenchment and reform to provide for the services of the secretary of the Senate and the chief clerk of the House for such time preceding the special session as might be necessary to arrange for the work of the extraordinary session and for placing the voting machine in readiness for the use of the House, and the making of such other preparations as will expedite the organization of such session, and the employment of the clerical help and other employees that might be necessary.

*Therefore*, The Committee on Retrenchment and Reform of the Fortieth General Assembly, beg leave to report they have employed the following, who are now on duty:

## HOUSE

Assistant chief clerk, Frank S. Vetter.  
Engrossing clerk, Mrs. Gwendolyn MacDowell.  
Enrolling clerk, Victor H. Pullis.  
Journal clerk, Lillian Leffert.  
Assistant Journal clerk, Margaret Canfield.  
Reading clerk, Robert Cook.  
Bill clerk, Donald M. Winterrowd.  
File clerk, Chas. A. Lindenau.  
Assistant postmistress, Mrs. Jeanette Cole.

Sergeant-at-arms, Oley Nelson.

Assistant sergeant-at-arms, Walter R. Cook.

Electrician, W. H. Callison.

Assistant Electrician, R. J. Bruner.

Doorkeepers—W. N. Abraham, D. R. Edmonds, E. P. Taylor, H. A. Hoffman, J. E. Kent.

Chief janitor, Henry McCraven.

Assistant janitors—Fred Miller, Louis Jackson.

Committee on Retrenchment and Reform,

CARL W. REED, *Chairman*,

E. M. SMITH,

B. J. HORCHEM,

H. C. WHITE,

T. E. MOEN,

A. O. HAUGE,

E. J. COLE,

T. J. O'DONNELL,

C. F. CLARK,

B. M. STODDARD.

The report of the committee was adopted.

#### OFFICIAL OATH OF OFFICE

The above named officers and employees of the House took and subscribed to the required oath.

Lake of Woodbury made the following motion:

MR. SPEAKER: I move that the House patronage committee of the Fortieth General Assembly be authorized to employ seven additional doorkeepers, the same to be members of the G. A. R., Spanish-American or World War Veterans, in addition to the five doorkeepers selected by the retrenchment and reform committee, and that the names of those selected be added to the resolution providing for their salaries.

Motion lost.

#### REPORT OF COMMITTEE ON CODE REVISION

Gilbert of Marshall, from the committee on code revision, submitted the following report and moved its adoption:

MR. SPEAKER: Your committee on code revision beg leave to report the following recommendations:

That during this extraordinary session of the general assembly no bills shall be introduced in or considered by the House of Representatives except the printed bills numbered one to two hundred eighty-three, inclusive, designated by the Code Editor as code commissioners' bills; bills for legalizing acts; the bills prepared and heretofore reported by the joint legislative tax committee; bills providing for the editing, printing and publishing of the revised code and the supplements thereto; bills providing for the salaries and expenses incident to this extraordinary session.

F. B. GILBERT, *Chairman*.

Forsling of Woodbury offered the following amendment:

Amend the code revision committee report by striking from said report the following: "the bills prepared and heretofore reported by the joint legislative tax committee".

Gilbert of Marshall raised the point of order that a committee report was not subject to amendment and that the amendment of Forsling of Woodbury was therefore out of order.

Mr. Speaker ruled that the point of order was not well taken.

Himebauch of Emmet moved that action on the committee report be deferred until tomorrow.

By a division of the House the motion to defer prevailed.

Rankin of Lee moved that rule 63 be suspended for the remainder of the forenoon.

Motion lost.

Himebauch of Emmet moved that no bills except code commission bills be introduced until the report of the committee on code revision relative to introduction of bills be disposed of.

Motion prevailed.

#### APPOINTMENT OF SPEAKER'S CLERK

Mr. Speaker announced the appointment of Maurice Findlay as his clerk; also the appointment of Ralph Held as page to the speaker and the chief clerk.

The chief clerk announced the appointment of Cecil Hawley as his clerk.

The above named employees took and subscribed to the required oath.

#### REPORT OF COMMITTEE ON CODE REVISION

Gilbert of Marshall, from the committee on code revision, submitted the following report and moved its adoption:

MR. SPEAKER: Your committee on code revision begs leave to make the following recommendations:

1. That all bills prepared by the members of the code commission or the code editor be introduced in both houses by the chairman of the committee on code revision of the Senate and the House immediately on the convening of the General Assembly in special session, and prior to the introduction of any other bills.

2. That after said code commissioners' and code editor's bills shall have been referred to committees, they shall, so far as practicable, be referred to the same sub-committees to which they were assigned in the regular session of the Fortieth General Assembly.

3. That all odd numbered bills, after being recommended for passage, shall, so far as practicable, be first placed upon their passage in the

Senate, and all even numbered bills, after being recommended for passage, shall, so far as practicable, be first placed on their passage in the House.

4. That no bill be placed upon its passage upon the day when it has been reported out for passage.

5. That whenever a public hearing is to be held in committee on any bill, the chairman of the Senate committee, if it be an odd numbered bill, shall notify the chairman of the same committee in the House and arrange for a joint meeting of both committees, and if it be an even numbered bill, the chairman of the House committee shall notify the chairman of the same committee in the Senate and arrange for a joint meeting of both committees for such public hearings.

6. That the code commissioners, the code editor and any persons or organizations known to be interested in such bills, be notified by the chairman of the committee of the time and place of such hearing.

7. That the time of such hearing be subject to the approval of the chairman of the code revision committee of the Senate and the chairman of the code revision committee of the House.

F. B. GILBERT, *Chairman.*

Report adopted.

#### REPORT OF THE RETRENCHMENT AND REFORM COMMITTEE

Moen of Lyon, from the committee on retrenchment and reform, submitted the following selection of employees for the special session:

##### Committee clerks:

Allely, Jennie	Hass, Helen
Andersen, Dorothy	Ford, Margaret
Beckwith, Ethel	Klinkenborg, Sylvia
Beyer, Maude	Kramer, Sara
Biggs, Madeline	Little, Elberta
Booher, Claire	Lundquist, Dorothy
Cloe, Rhea	Maulsby, Lois
Collins, Veronica	Merrill, Lucia E.
Coxe, Ruth	Miller, Dorothy L.
Crawford, Pauline	Speer, Muriel
Cummings, Rhea E.	Pringle, Edna
Wellington, Elizabeth	Roberts, Catherine A.
Elliott, Lola S.	Joyce, Kathryn
Erickson, Maude	Saverude, Mabel
Fangman, Helen	Scranton, Virginia
Far's, Emily	Smith, Dorothy
Godfrey, Mabel	Spitler, Zoe
Graves, Jeannette E.	Story, Leona
Griffitts, Mary	MacGeltigan, Sara
Goddard, Clare	Valentine, Belle

Van Cleave, Hattie L.  
Weaver, Clara  
Minick, Osie Mae  
Hartnagle, Elsie  
Swenson, Bessie B.

Kaplan, Gloriette  
Mahoney, George  
Caffrey, Kathleen  
Miller, Kathryn

Pages:

Russell Lewis,  
Frank Wise,  
Roy Delworth,

Edward Eckwall,  
Raymond Holstad.  
Charles Rider.

Telephone messenger:  
Frank B. Miles.

Mr. Moen moved that the report of the committee be adopted.  
Motion prevailed.

The above named employees took and subscribed to the required oath.

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

The chief clerk announced the following assignment of desks in the press gallery:

No. 1—Wayne Weishaar, Des Moines Tribune; No. 2—R. H. Horan, Des Moines Capital; No. 3—I. I. Femrite, United Press; No. 5, Howard Whitney, general correspondent; No. 7—Gideon D. Seymour, Associated Press; No. 8—Dale R. Schilling, James Connor, Jr., and O. L. Morris.

On motion of Peterson of Henry the House adjourned until 1:30 p. m. today.

AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

Rankin of Lee moved that the selection of a speaker pro tempore be made a special order for Wednesday, December 5th, at 11 a. m.

Motion prevailed.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Hauge of Polk for the afternoon on request of Garber of Adair; members of the judiciary committee for the afternoon on request of Clark of Linn.

RULE 63 SUSPENDED

On motion of McClune of Mahaska rule 63 was suspended for the remainder of the day.

## INTRODUCTION OF BILLS

House File No. 2, by committee on code revision, a bill for an act to amend, revise, and codify sections four (4) to eight (8), inclusive, and forty-nine hundred sixty-two (4962) of the compiled code of Iowa, relating to the acquisition by the United States of lands in this state.

Read first and second times and referred to committee on land titles.

House File No. 3, by committee on code revision, a bill for an act to provide for a committee on bills.

Read first and second times and referred to committee on code revision.

House File No. 4, by committee on code revision, a bill for an act to amend, revise, and codify section fifty-three (53) of the compiled code of Iowa, relating to copies of laws taking effect by publication.

Read first and second times and referred to committee on judiciary.

House File No. 6, by committee on code revision, a bill for an act to amend, revise, and codify chapters five (5) and six (6) of title one (1) of the compiled code of Iowa, relating to the sale and distribution of codes and sessions laws, and the method of accounting therefor.

Read first and second times and referred to committee on code revision.

House File No. 7, by committee on code revision, a bill for an act to amend, revise, and codify section ninety-four (94) of the compiled code of Iowa, relating to the duties of the governor.

Read first and second times and referred to committee on departmental affairs.

House File No. 8, by committee on code revision, a bill for an act to amend, revise, and codify subsection seven (7) of section one hundred eighteen (118), sections one hundred twenty-seven (127) to one hundred thirty-one (131), inclusive, one hundred thirty-three (133), one hundred thirty-four (134), one hundred thirty-six (136), two hundred seventy-four (274) and seven hundred twenty-five (725) of the compiled code of Iowa, and sections one hundred thirty-two (132) and one hundred thirty-five (135)

of the supplement to said code, relating to certain duties of the auditor of state and to uniform system of accounts of public corporations and organizations, and to the examination of such accounts.

Read first and second times and referred to committee on departmental affairs.

House File No. 9, by committee on code revision, a bill for an act to amend, revise, and codify sections one hundred forty-four (144), one hundred forty-six (146) to one hundred forty-nine (149), inclusive, one hundred fifty-one (151), one hundred fifty-three (153) to one hundred sixty (160), inclusive, of the compiled code of Iowa, and section one hundred fifty (150) of the supplement to said code, relating to appropriations and the drawing and expenditure thereof, and to certain powers and duties of the treasurer of state, and to the security of the public funds.

Read first and second times and referred to committee on departmental affairs.

House File No. 10, by committee on code revision, a bill for an act to amend, revise, and codify chapter six (6) of title two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general.

Read first and second times and referred to committee on judiciary.

House File No. 14, by committee on code revision, a bill for an act to amend, revise, and codify sections two hundred forty-nine (249) to two hundred fifty-six (256), inclusive, two hundred fifty-eight (258) to two hundred sixty-one (261), inclusive, two hundred sixty-three (263) to two hundred sixty-nine (269), inclusive, two hundred seventy-two (272), and two hundred seventy-three (273) of the compiled code of Iowa, and sections two hundred forty-eight (248) and two hundred sixty-two (262) of the supplement to said code, relating to the executive council and to the powers, duties, and employees thereof.

Read first and second times and referred to committee on departmental affairs.

House File No. 15, by committee on code revision, a bill for an act to amend, revise, and codify chapter thirteen (13), title two (2), of the compiled code of Iowa and of the supplement to said

code; also sections seven hundred fourteen (714) and seven hundred fifteen (715) of said code, and section one hundred eighteen-a one (118-a1) of the supplement to said code, relating to the filing and auditing of claims against the state.

Read first and second times and referred to committee on departmental affairs.

House File No. 17, by committee on code revision, a bill for an act to amend, revise, and codify chapter fifteen (15) of title two (2) of the supplement to the compiled code of Iowa, relating to deputies for certain state officers.

Read first and second times and referred to committee on departmental affairs.

House File No. 18, by committee on code revision, a bill for an act to amend, revise, and codify section two hundred ninety-eight (298) of the compiled code of Iowa, and section two hundred ninety-seven (297) of the supplement to said code, relating to the reports of public officers.

Read first and second times and referred to committee on departmental affairs.

House File No. 19, by committee on code revision, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-eight (3348) to thirty-three hundred fifty-one (3351), inclusive, thirty-three hundred fifty-three (3353), thirty-seven hundred sixty-five (3765), thirty-seven hundred sixty-eight (3768), and thirty-seven hundred seventy (3770) of the compiled code of Iowa, and sections thirty-three hundred fifty-two (3352), thirty-seven hundred sixty-seven (3767), and thirty-seven hundred sixty-nine (3769) of the supplement to said code, relating to memorial halls and monuments for soldiers, sailors, and marines.

Read first and second times and referred to committee on county and township organization.

House File No. 20, by committee on code revision, a bill for an act to amend, revise, and codify chapter one (1) of title four (4), and section eighty-four hundred fifty-six (8456) of the compiled code of Iowa, relating to time of holding elections and the term of office of the officers elected thereat.

Read first and second times and referred to committee on elections.

House File No. 21, by committee on code revision, a bill for an act to amend, revise, and codify chapter two (2) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to nominations by primary elections.

Read first and second times and referred to committee on elections.

House File No. 22, by committee on code revision, a bill for an act to amend, revise, and codify chapter three (3) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to nominations by caucus, convention, or petition.

Read first and second times and referred to committee on elections.

House File No. 23, by committee on code revision, a bill for an act to amend, revise, and codify chapter four (4) of title four (4) of the compiled code of Iowa, relating to the nomination and election of judges of the supreme, district, and superior courts.

Read first and second times and referred to committee on elections.

House File No. 24, by committee on code revision, a bill for an act to amend, revise, and codify chapter five (5) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the registration of voters.

Read first and second times and referred to committee on elections.

House File No. 25, by committee on code revision, a bill for an act to amend, revise, and codify chapter six (6) of title four (4) of the compiled code of Iowa and of the supplement to said code, and section thirty-four hundred forty-two (3442) of the compiled code of Iowa, and section four hundred ninety-nine-a eleven (499-a11) of the supplement to said code, relating to the method of conducting elections.

Read first and second times and referred to committee on elections.

House File No. 26, by committee on code revision, a bill for an act to amend, revise, and codify sections four hundred sixty-six (466) to four hundred sixty-eight (468), inclusive, four hundred seventy (470), four hundred seventy-one (471), four hundred seventy-three (473) to four hundred seventy-six (476), inclusive, four

hundred seventy-nine (479) to four hundred eighty-one (481), inclusive, four hundred eighty-four (484), four hundred eighty-five (485), four hundred eighty-seven (487) to four hundred ninety (490), inclusive, and four hundred ninety-five (495) of the compiled code of Iowa, relating to the canvass of votes at elections.

Read first and second times and referred to committee on elections.

House File No. 27, by committee on code revision, a bill for an act to amend, revise, and codify chapter nine (9) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the right of a voter to vote when disabled or when absent from the polls on election day, or when engaged in the service of the government of the United States, or of this state.

Read first and second times and referred to committee on elections.

House File No. 28, by committee on code revision, a bill for an act to amend, revise, and codify section five hundred thirty-five (535) of the supplement to the compiled code of Iowa, relating to the election of presidential electors.

Read first and second times and referred to committee on elections.

House File No. 29, by committee on code revision, a bill for an act to amend, revise, and codify chapter eleven (11) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the making of statements of expenses by candidates for office.

Read first and second times and referred to committee on elections.

House File No. 30, by committee on code revision, a bill for an act to amend, revise, and codify sections five hundred sixty-nine (569), five hundred seventy-two (572) and five hundred seventy-three (573) of the compiled code of Iowa, relating to contesting elections of state officers.

Read first and second times and referred to committee on elections.

House File No. 31, by committee on code revision, a bill for an act to amend, revise, and codify sections six hundred (600), six hundred nine (609), and six hundred ten (610) of the com-

piled code of Iowa, relating to the time and manner of qualifying of elected or appointed officers.

Read first and second times and referred to committee on elections.

House File No. 32, by committee on code revision, a bill for an act to amend, revise, and codify chapter nineteen (19) of title four (4) of the compiled code of Iowa and of the supplement to said code, and sections two hundred forty-one-a thirty-six (241-a36) and two hundred forty-seven-a one (247-a1) of the supplement to said code, relating to the bonds of public officers.

Read first and second times and referred to committee on elections.

House File No. 33, by committee on code revision, a bill for an act to amend, revise, and codify sections six hundred thirty-two (632) and six hundred thirty-eight (638) of the compiled code of Iowa, relating to the release of sureties on bonds of public officers.

Read first and second times and referred to committee on elections.

House File No. 34, by committee on code revision, a bill for an act to amend, revise, and codify chapter twenty-one (21) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to removal from office.

Read first and second times and referred to committee on elections.

House File No. 35, by committee on code revision, a bill for an act to amend, revise, and codify sections six hundred sixty-eight (668) and six hundred seventy-one (671) of the compiled code of Iowa, relating to vacancies in office.

Read first and second times and referred to committee on elections.

House File No. 39, by committee on code revision, a bill for an act to amend, revise, and codify section seven hundred four (704) of the compiled code of Iowa, relating to the administration of oaths.

Read first and second times and referred to committee on judiciary.

House File No. 40, by committee on code revision, a bill for an act to amend, revise, and codify sections seven hundred six (706), seven hundred seven (707), seven hundred ten (710), seven hundred sixteen (716), seven hundred seventeen (717), seven hundred nineteen (719) to seven hundred twenty-two (722), inclusive, of the compiled code of Iowa, relating to the deposit of public funds by officers, and to the salaries, fees, expenses, and expenditures of such officers, and to the publication and posting of legal notices.

Read first and second times and referred to committee on judiciary.

House File No. 41, by committee on code revision, a bill for an act to amend, revise, and codify chapters one (1) and two (2) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to coal mines, gypsum mines, and mining.

Read first and second times and referred to committee on mines and mining.

House File No. 42, by committee on code revision, a bill for an act to amend, revise, and codify chapter three (3) of title five (5) of the compiled code of Iowa, and sections eight hundred twenty-three-a one (823-a1), eight hundred thirty-two (832), and eight hundred forty-three (843) of the supplement to said code, relating to employers' liability and workmen's compensation.

Read first and second times and referred to committee on labor.

House File No. 43, by committee on code revision, a bill for an act to amend, revise, and codify sections eight hundred fifty-nine (859), eight hundred sixty-one (861), eight hundred sixty-two (862), and eight hundred eighty-three (883) of the compiled code of Iowa, and section eight hundred sixty (860) of the supplement to said code, relating to health and safety appliances and industrial accidents.

Read first and second times and referred to committee on labor.

House File No. 44, by committee on code revision, a bill for an act to amend, revise, and codify sections eight hundred eighty-two (882) and eight hundred eighty-four (884) to eight hundred ninety (890), inclusive, of the compiled code of Iowa, and section eight hundred eighty-eight (888) of the supplement to said code, relating to child labor.

Read first and second times and referred to committee on labor.

House File No. 45, by committee on code revision, a bill for an act to amend, revise, and codify chapter twelve (12) of title five (5) of the compiled code of Iowa, and section ten hundred sixty-four (1064) of the supplement to said code, relating to fire escapes and means of escape from fire.

Read first and second times and referred to committee on labor.

House File No. 46, by committee on code revision, a bill for an act to amend, revise, and codify sections eight hundred seventy-three (873) to eight hundred eighty (880), inclusive, of the compiled code of Iowa, and section eight hundred eighty-one (881) of the supplement to said code, relating to the bureau of labor and the labor commissioner, his deputies and inspectors, their duties and jurisdiction.

Read first and second times and referred to committee on labor.

House File No. 47, by committee on code revision, a bill for an act to amend, revise, and codify sections eight hundred ninety-two (892) to eight hundred ninety-eight (898), inclusive, of the compiled code of Iowa, and section eight hundred ninety-one (891) of the supplement to said code, relating to the state free employment bureau, free employment service, and employment agencies.

Read first and second times and referred to committee on labor.

House File No. 50, by committee on code revision, a bill for an act to amend, revise, and codify chapter twenty-two (22) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the suspension of state officers.

Read first and second times and referred to committee on elections.

House File No. 51, by committee on code revision, a bill for an act to amend, revise, and codify sections nine hundred sixteen (916), nine hundred seventeen (917), nine hundred nineteen (919), nine hundred sixty-two (962), nine hundred sixty-five (965) to nine hundred sixty-seven (967), inclusive, nine hundred sixty-nine (969) to nine hundred seventy-three (973), inclusive, nine hundred seventy-eight (978), nine hundred seventy-nine (979), nine hundred eighty-one (981) to nine hundred ninety-seven (997), inclusive, nine hundred ninety-nine (999) to ten hundred eighteen (1018), inclusive, ten hundred twenty (1020),

ten hundred twenty-three (1023), and ten hundred twenty-five (1025) to ten hundred twenty-seven (1027), inclusive, of the compiled code of Iowa, and sections nine hundred fourteen (914), nine hundred fifteen (915), nine hundred eighteen (918), nine hundred sixty-eight (968), nine hundred seventy-four-a one (974-a1) to nine hundred seventy-four-a three (974-a3), inclusive, nine hundred seventy-five (975), nine hundred seventy-six-a one (976-a1) to nine hundred seventy-six-a six (976-a6), inclusive, nine hundred seventy-seven-a one (977-a1) to nine hundred seventy-seven-a seven (977-a7), inclusive, nine hundred ninety-eight (998), ten hundred nineteen (1019), ten hundred twenty-a one (1020-a1), and ten hundred twenty-four (1024) of the supplement to said code, relating to intoxicating liquors.

Read first and second times and referred to committee on suppression of intemperance.

House File No. 52, by committee on code revision, a bill for an act to amend, revise, and codify sections ten hundred twenty-eight (1028) to ten hundred thirty (1030), inclusive, and sections ten hundred thirty-two (1032), ten hundred thirty-five (1035), and ten hundred thirty-six (1036) of the compiled code of Iowa, relating to houses of prostitution.

Read first and second times and referred to committee on police regulations.

House File No. 53, by committee on code revision, a bill for an act to amend, revise, and codify chapter ten (10) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to the state fire marshal and the prevention and investigation of fires.

Read first and second times and referred to committee on departmental affairs.

House File No. 54, by committee on code revision, a bill for an act to amend, revise, and codify chapters fifteen (15) and sixteen (16) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to propagation and protection of fish, game, wild birds, and animals.

Read first and second times and referred to committee on fish and game.

House File No. 55, by committee on code revision, a bill for an act to amend, revise, and codify sections eleven hundred seventy-nine (1179) to eleven hundred eighty-three (1183), inclusive, of

the compiled code of Iowa, and section eleven hundred seventy-seven-a nine (1177-a9) of the supplement to said code, relating to the state board of conservation and state parks.

Read first and second times and referred to committee on conservation of resources.

House File No. 57, by committee on code revision, a bill for an act to amend, revise, and codify sections twelve hundred four (1204) to twelve hundred seven (1207), inclusive, and twelve hundred nine (1209) of the compiled code of Iowa, relating to lost property.

Read first and second times and referred to committee on judiciary.

House File No. 58, by committee on code revision, a bill for an act to amend, revise, and codify sections twelve hundred fourteen (1214), twelve hundred seventeen (1217), twelve hundred eighteen (1218), twelve hundred twenty-two (1222) and twelve hundred twenty-six (1226) of the compiled code of Iowa and section twelve hundred nineteen (1219) of the supplement to said code, relating to the practice of professional engineering and land surveying.

Read first and second times and referred to committee on judiciary.

House File No. 60-A, by committee on code revision, a bill for an act to amend, revise, and codify sections twelve hundred forty-four-a one (1244-a1), twelve hundred forty-four-a fourteen (1244-a14), and twelve hundred forty-four-a fifteen (1244-a15) of the supplement to the compiled code of Iowa, relating to the board of accountancy.

Read first and second times and referred to committee on departmental affairs.

House File No. 61, by committee on code revision, a bill for an act to amend, revise, and codify chapter twenty-three (23) of title five (5) of the compiled code of Iowa, relating to gold and silver alloy.

Read first and second times and referred to committee on judiciary.

House File No. 65, by committee on code revision, a bill for an act to amend, revise, and codify sections nine hundred seven (907), fourteen hundred forty (1440), fourteen hundred forty-

three (1443), fourteen hundred fifty-two (1452), fourteen hundred sixty-nine (1469), fourteen hundred seventy-two (1472), fourteen hundred eighty-one (1481), fifteen hundred thirty-six (1536), fifteen hundred ninety-two (1592), sixteen hundred thirteen (1613), sixteen hundred seventeen (1617), sixteen hundred twenty-six (1626), sixteen hundred twenty-seven (1627), and sixteen hundred ninety-nine (1699) of the compiled code of Iowa and sections eight hundred ninety-nine (899), nine hundred three (903), fourteen hundred forty-two (1442), fifteen hundred thirty-two-a fifteen (1532-a15), sixteen hundred thirty-one-a one (1631-a1) to sixteen hundred thirty-one-a fifteen (1631-a15), inclusive, and sixteen hundred fifty-three-a one (1653-a1) to sixteen hundred fifty-three-a seven (1653-a7), inclusive, of the supplement to said code, relating to the department of agriculture and fruit-tree and forest reservations.

Read first and second times and referred to committee on agriculture.

House File No. 66, by committee on code revision, a bill for an act to amend, revise, and codify chapters three (3), five (5), and nine (9) of title eight (8), and sections sixteen hundred fourteen (1614) to sixteen hundred sixteen (1616), inclusive, sixteen hundred eighteen (1618) to sixteen hundred twenty-one (1621), inclusive, sixteen hundred twenty-three (1623) to sixteen hundred twenty-five (1625), inclusive, sixteen hundred twenty-eight (1628), sixteen hundred thirty (1630), sixteen hundred thirty-one (1631), and sixteen hundred thirty-eight (1638) to sixteen hundred forty-four (1644), inclusive, of the compiled code of Iowa, and chapters six (6), seven (7), and eight (8) of title eight (8), of the compiled code of Iowa and the supplement to said code, and chapter ten (10) of title eight (8) and sections sixteen hundred twenty-two (1622), sixteen hundred thirty-one-a nine (1631-a9), sixteen hundred thirty-six-a one (1636-a1) to sixteen hundred thirty-six-a eight (1636-a8), inclusive, and sixteen hundred thirty-seven (1637), of the supplement to said code, relating to state fair and agricultural organizations receiving state aid.

Read first and second times and referred to committee on agriculture.

House File No. 68, by committee on code revision, a bill for an act to amend, revise, and codify chapters twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17),

eighteen (18), and nineteen (19), of title eight (VIII) of the compiled code of Iowa and of the supplement to said code, relating to animal industry.

Read first and second times and referred to committee on animal industry.

House File No. 69, by committee on code revision, a bill for an act to amend, revise, and codify chapter thirteen (13) of title five (5), and chapters five (5) and six (6) of title seven (7) of the compiled code of Iowa, and chapter thirteen-A (13-A), of title five (5) of the supplement to the compiled code of Iowa, relating to hotels, restaurants, food establishments, and cold storage plants.

Read first and second times and referred to committee on agriculture.

House File No. 71, by committee on code revision, a bill for an act to amend, revise, and codify chapter twenty-two (22) of title eight (8) and sections thirty-one hundred forty-two (3142) and thirty-one hundred forty-three (3143) of the compiled code of Iowa, and sections thirty-one hundred thirty-nine-a one (3139-a1) to thirty-one hundred thirty-nine-a three (3139-a3), inclusive, thirty-one hundred thirty-nine-a three-a (3139-a3a), thirty-one hundred thirty-nine-a four (3139-a4) to thirty-one hundred thirty-nine-a fourteen (3139-a14), inclusive, and thirty-one hundred forty (3140) of the supplement to said code, relating to neglected, disabled, and abandoned animals, animals running at large, estrays, dogs and the responsibility therefor, the licensing of dogs, the rights and duties resulting from such licensing or failure to license, and the payment of claims for damages done by dogs and wolves.

Read first and second times and referred to committee on animal industry.

House File No. 72, by committee on code revision, a bill for an act to amend, revise, and codify section five hundred ninety-one (591) of the compiled code of Iowa, relating to the testimony of witnesses in cases of contested elections.

Read first and second times and referred to committee on elections.

House File No. 74, by committee on code revision, a bill for an act to amend, revise, and codify chapter nine (9) of title twenty-one (21) of the compiled code of Iowa, relating to limited partnership.

Read first and second times and referred to committee on judiciary.

House File No. 75, by committee on code revision, a bill for an act to amend, revise, and codify sections sixty-three hundred seventeen (6317) to sixty-three hundred thirty-two (6332), inclusive, of the compiled code of Iowa and section sixty-three hundred twenty-seven-a one (6327-a1) of the supplement to said code, relating to chattel mortgages, real estate mortgages creating liens on personal property, and conditional sales of personal property.

Read first and second times and referred to committee on judiciary.

House File No. 77, by committee on code revision, a bill for an act to amend, revise, and codify sections sixty-three hundred fifty-five (6355) to sixty-three hundred ninety-seven (6397), inclusive, and sixty-four hundred (6400) to sixty-four hundred five (6405), inclusive, of the compiled code of Iowa, relating to conveyances.

Read first and second times and referred to committee on land titles.

House File No. 78, by committee on code revision, a bill for an act to amend, revise, and codify chapter three (3) of title twenty-three (23) of the compiled code of Iowa, relating to occupying claimants.

Read first and second times and referred to committee on land titles.

House File No. 82, by committee on code revision, a bill for an act to amend, revise, and codify chapter twelve (12) of title twenty-three (23) of the compiled code of Iowa, and of the supplement to said code, relating to trustees to manage cemetery funds.

Read first and second times and referred to committee on judiciary.

House File No. 84, by committee on code revision, a bill for an act to amend, revise, and codify title nine (9) of the compiled code of Iowa and of the supplement to said code, relating to charitable, correctional, and penal institutions, and the juvenile court.

Read first and second times and referred to committee on board of control.

House File No. 85, by committee on code revision, a bill for an act to amend, revise, and codify chapter one (1) of title ten

(10) and sections twenty-two hundred seventy-one (2271), twenty-two hundred seventy-three (2273), twenty-five hundred seventy-three (2573), and twenty-five hundred seventy-five (2575) of the compiled code of Iowa, and sections twenty-two hundred seventy-four-a one (2274-a1), twenty-two hundred seventy-four-a two (2274-a2), and twenty-six hundred twenty-eight (2628) of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 86, by committee on code revision, a bill for an act to amend, revise, and codify sections twenty-two hundred sixty-five (2265) to twenty-two hundred seventy (2270), inclusive, section twenty-two hundred seventy-two (2272) and sections twenty-two hundred seventy-four (2274) to twenty-two hundred seventy-six (2276), inclusive, of the compiled code of Iowa, and sections twenty-five hundred fifty-eight-a three (2558-a3) and twenty-two hundred seventy-seven (2277) of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 87, by committee on code revision, a bill for an act to amend, revise, and codify chapter three (3) of title ten (10) of the compiled code of Iowa, and of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 88, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand two hundred ninety-six (2296) to two thousand three hundred three (2303), inclusive, two thousand three hundred five (2305), two thousand three hundred seven (2307), two thousand three hundred eight (2308), two thousand four hundred eighty-one (2481) to two thousand four hundred eighty-three (2483), inclusive, two thousand four hundred eighty-five (2485) to two thousand four hundred eighty-eight (2488), inclusive, two thousand four hundred ninety-two (2492) to two thousand four hundred ninety-nine (2499), inclusive, of the compiled code of Iowa, and sections two thousand two hundred ninety-five (2295), two thousand three hundred four (2304), two thousand three hundred six (2306), and section two thousand four hundred eighty-two-a one (2482-a1) of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 89, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand three hundred thirteen (2313) and two thousand three hundred fifteen (2315) of the compiled code of Iowa, and section two thousand five hundred fifty-eight-a two (2558-a2) of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 90, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand three hundred eighteen (2318) to two thousand three hundred twenty-six (2326), inclusive, two thousand three hundred twenty-nine (2329) to two thousand three hundred forty-four (2344), inclusive, two thousand three hundred forty-seven (2347), two thousand three hundred ninety-eight (2398) to two thousand four hundred fourteen (2414), inclusive, two thousand four hundred thirty-two (2432), two thousand four hundred thirty-six (2436), two thousand four hundred thirty-seven (2437), two thousand four hundred forty (2440) and two thousand four hundred forty-four (2444) of the compiled code of Iowa, and sections two thousand three hundred twenty-seven (2327) and two thousand three hundred twenty-eight (2328) of the supplement to said code, relating to education.

Read first and second times and referred to committee on state educational institutions.

House File No. 91, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand three hundred forty-five (2345), two thousand three hundred forty-six (2346), two thousand three hundred fifty-two (2352), two thousand three hundred fifty-three (2353) of the compiled code of Iowa, and section two thousand three hundred fifty-four (2354) of the supplement to said code, relating to the state university and the work of the bacteriological laboratory therein.

Read first and second times and referred to committee on state educational institutions.

House File No. 92, by committee on code revision, a bill for an act to amend, revise, and codify chapters nine (9) and ten (10) of

title ten (10) of the compiled code of Iowa, and section two thousand three hundred forty-eight-a one (2348-a1) of the supplement to said code, relating to medical and surgical treatment of indigent persons.

Read first and second times and referred to committee on state educational institutions.

House File No. 93, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand three hundred ninety-six (2396), two thousand three hundred ninety-seven (2397), and two thousand four hundred fifteen (2415) of the compiled code of Iowa, relating to the Iowa state college of agriculture and mechanic arts.

Read first and second times and referred to committee on state educational institutions.

House File No. 94, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand four hundred thirty-one (2431), two thousand four hundred thirty-three (2433), two thousand four hundred thirty-four (2434) and two thousand four hundred thirty-five (2435) of the compiled code of Iowa, relating to the Iowa State Teachers College.

Read first and second times and referred to committee on state educational institutions.

House File No. 97, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand four hundred forty-seven (2447) to two thousand four hundred fifty-six (2456), inclusive, and two thousand four hundred fifty-eight (2458) of the compiled code of Iowa, and section two thousand four hundred fifty-seven (2457) of the supplement to said code, relating to education.

Read first and second times and referred to committee on board of control.

House File No. 98, by committee on code revision, a bill for an act to amend, revise, and codify chapter sixteen (16) of title ten (10) of the compiled code of Iowa, and of the supplement to said code, relating to education.

Read first and second times and referred to committee on board of control.

House File No. 99, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand four hun-

dred seventy-eight (2478) to two thousand four hundred eighty (2480), inclusive, two thousand four hundred eighty-four (2484), two thousand four hundred eighty-nine (2489), two thousand four hundred ninety (2490), and two thousand five hundred (2500) to two thousand five hundred five (2505), inclusive, of the compiled code of Iowa, and section three thousand two hundred thirty-one-a thirteen (3231-a13) of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 100, by committee on code revision, a bill for an act to amend, revise, and codify sections twenty-five hundred eight (2508), twenty-five hundred nine (2509), twenty-five hundred fifteen (2515) to twenty-five hundred seventeen (2517), inclusive, and twenty-five hundred twenty-six (2526) to twenty-five hundred thirty-four (2534), inclusive, of the compiled code of Iowa, and sections twenty-five hundred twenty-four-a one (2524-a1) to twenty-five hundred twenty-four-a forty (2524-a40), inclusive, and twenty-five hundred twenty-five (2525) of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 101, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand five hundred thirty-five (2535) to two thousand five hundred thirty-seven (2537), inclusive, two thousand five hundred forty-two (2542) to two thousand five hundred forty-four (2544), inclusive, two thousand five hundred forty-nine (2549) to two thousand five hundred fifty-three (2553), inclusive, two thousand five hundred fifty-seven (2557), two thousand five hundred fifty-nine (2559), two thousand five hundred sixty (2560), and two thousand five hundred sixty-seven (2567) of the compiled code of Iowa, and sections two thousand five hundred forty-five-a one (2545-a1) to two thousand five hundred forty-five-a four (2545-a4), inclusive, two thousand five hundred fifty-eight-a one (2558-a1), and two thousand five hundred seventy-eight (2578) of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 102, by committee on code revision, a bill for

an act to amend, revise, and codify sections two thousand five hundred eighty-one (2581) and two thousand five hundred eighty-two (2582) of the compiled code of Iowa, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 104, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand five hundred ninety-seven (2597) to two thousand five hundred ninety-nine (2599), inclusive, and two thousand six hundred one (2601) of the compiled code of Iowa, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 105, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand six hundred six (2606) to two thousand six hundred eight (2608), inclusive, of the compiled code of Iowa, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 107, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand six hundred nineteen (2619), two thousand six hundred twenty-one (2621), and two thousand six hundred twenty-five (2625), of the compiled code of Iowa, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 108, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand six hundred thirty-five (2635) to two thousand six hundred thirty-eight (2638), inclusive, of the compiled code of Iowa, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 109, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand six hundred forty-one (2641), two thousand six hundred forty-three (2643), and two thousand six hundred forty-six (2646) to two thousand six hundred forty-eight (2648), inclusive, of the compiled code of Iowa, and sections two thousand six hundred thirty-nine (2639), two thousand six hundred forty (2640), and two

thousand six hundred forty-two (2642) of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 110, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand six hundred fifty-three (2653), and two thousand six hundred fifty-eight (2658) of the compiled code of Iowa, and sections two thousand six hundred fifty (2650) and two thousand six hundred sixty (2660) of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 111, by committee on code revision, a bill for an act to amend, revise, and codify chapter thirty-one (31) of title ten (10) of the compiled code of Iowa and of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 112, by committee on code revision, a bill for an act to amend, revise, and codify section two thousand six hundred ninety-nine (2699) of the compiled code of Iowa, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 114, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand seven hundred twenty-eight (2728) to two thousand seven hundred thirty-eight (2738), inclusive, two thousand seven hundred forty-six (2746), two thousand seven hundred forty-seven (2747), two thousand seven hundred forty-nine (2749) to two thousand seven hundred fifty-three (2753), inclusive, two thousand seven hundred fifty-six (2756) to two thousand seven hundred sixty-four (2764), inclusive, two thousand seven hundred sixty-seven (2767), and two thousand seven hundred sixty-eight (2768) of the compiled code of Iowa, and section two thousand seven hundred forty-eight (2748) of the supplement to said code, relating to education.

Read first and second times and referred to committee on state educational institutions.

House File No. 115, by committee on code revision, a bill for an

act to amend, revise, and codify chapter thirty-seven (37) of title ten (10) of the compiled code of Iowa, and of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

House File No. 116, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand seven hundred eighty-eight (2788) to two thousand seven hundred ninety-three (2793), inclusive, of the compiled code of Iowa, relating to education and the Iowa geological survey.

Read first and second times and referred to committee on conservation of resources.

House File No. 117, by committee on code revision, a bill for an act to amend, revise, and codify sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred sixteen (2816), twenty-eight hundred twenty-six (2826) to twenty-eight hundred thirty-four (2834), inclusive, of the compiled code of Iowa and of the supplement to said code, relating to the establishment, vacation, and alteration of highways and to the erection and maintenance of bridges.

Read first and second times and referred to committee on roads and highways.

House File No. 118, by committee on code revision, a bill for an act to amend, revise, and codify chapter two (2) of title eleven (11) of the compiled code of Iowa, relating to the drainage of highways.

Read first and second times and referred to committee on drainage.

House File No. 119, by committee on code revision, a bill for an act to amend, revise, and codify chapter three (3) of title eleven (11) of the compiled code of Iowa, relating to the state highway commission and other officers charged with duties relating to highways.

Read first and second times and referred to committee on roads and highways.

House File No. 121, by committee on code revision, a bill for an act to amend, revise, and codify chapters five (5) and eighteen (18) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to the county road, bridge,

and culvert system, and taxation therefor and to toll bridges and ferries.

Read first and second times and referred to committee on roads and highways.

House File No. 122, by committee on code revision, a bill for an act to amend, revise, and codify chapter eight (8) of title eleven (11) of the compiled code of Iowa, relating to the patrolling of public highways.

Read first and second times and referred to committee on roads and highways.

House File No. 123, by committee on code revision, a bill for an act to amend, revise, and codify chapter nine (9) of title eleven (11) and section twenty-nine hundred sixty-two (2962) of the compiled code of Iowa, relating to the township road system, the repair and improvement of the same, and the duties of the officers having jurisdiction thereover.

Read first and second times and referred to committee on roads and highways.

House File No. 125, by committee on code revision, a bill for an act to amend, revise, and codify chapter eleven (11) of title eleven (11) of the compiled code of Iowa, and of the supplement to said code, relating to the destruction of weeds on private lands and public highways.

Read first and second times and referred to committee on roads and highways.

House File No. 126, by committee on code revision, a bill for an act to amend, revise, and codify chapter thirteen (13) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to the removal of obstructions from public highways and to advertising signs and billboards which obstruct the view of public highways and railway tracks.

Read first and second times and referred to committee on roads and highways.

House File No. 127, by committee on code revision, a bill for an act to amend, revise, and codify chapter fourteen (14) of title eleven (11) of the compiled code of Iowa, relating to road improvement associations.

Read first and second times and referred to committee on roads and highways.

House File No. 128, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand thirty-five (3035) to three thousand thirty-seven (3037), inclusive, and three thousand forty (3040) of the compiled code of Iowa, relating to the use of public highways.

Read first and second times and referred to committee on roads and highways.

House File No. 129, by committee on code revision, a bill for an act to amend, revise, and codify sections thirty-one hundred fifteen (3115), thirty-one hundred twenty-four (3124), seven hundred thirteen (713) and thirty-one hundred twenty-seven (3127) of the compiled code of Iowa, relating to boards of supervisors.

Read first and second times and referred to committee on county and township organization.

House File No. 130, by committee on code revision, a bill for an act to amend, revise, and codify section thirty-one hundred thirty-one (3131) of the compiled code of Iowa, and sections thirty-one hundred thirty (3130) and thirty-two hundred forty-one-a three (3241-a3) of the supplement to said code, relating to the powers and duties of boards of supervisors.

Read first and second times and referred to committee on county and township organization.

House File No. 133, by committee on code revision, a bill for an act to amend, revise, and codify sections thirty-one hundred eighty (3180) and thirty-one hundred eighty-six (3186) of the compiled code of Iowa, relating to county recorders.

Read first and second times and referred to committee on county and township organization.

House File No. 134, by committee on code revision, a bill for an act to amend, revise, and codify sections thirty-one hundred eighty-nine (3189), thirty-one hundred ninety (3190), thirty-one hundred ninety-two (3192), and thirty-one hundred ninety-three (3193) of the compiled code of Iowa, relating to county attorneys.

Read first and second times and referred to committee on county and township organization.

House File No. 135, by committee on code revision, a bill for an act to amend, revise, and codify sections thirty-two hundred five (3205) of the compiled code of Iowa, and thirty-two hundred

six (3206) of the supplement to said code, relating to the sheriff.

Read first and second times and referred to committee on county and township organization.

House File No. 138, by committee on code revision, a bill for an act to amend, revise, and codify chapter ten (10) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to the submission of questions to voters.

Read first and second times and referred to committee on county and township organization.

House File No. 139, by committee on code revision, a bill for an act to amend, revise, and codify chapter eleven (11) of title twelve (12) of the compiled code of Iowa and of the supplement to said code, relating to county bonds.

Read first and second times and referred to committee on county and township organization.

House File No. 140, by committee on code revision, a bill for an act to amend, revise, and codify sections thirty-two hundred seventy-eight (3278), thirty-two hundred seventy-nine (3279), thirty-two hundred eighty-three (3283), thirty-two hundred eighty-seven (3287), thirty-two hundred eighty-nine (3289) and thirty-two hundred ninety-three (3293) of the compiled code of Iowa, relating to the support of the poor.

Read first and second times and referred to committee on county and township organization.

House File No. 142, by committee on code revision, a bill for an act to amend, revise, and codify chapter fourteen (14) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to county public hospitals and detention hospitals for contagious diseases.

Read first and second times and referred to committee on county and township organization.

House File No. 144, by committee on code revision, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-two (3342) to thirty-three hundred forty-four (3344), inclusive, thirty-three hundred forty-six (3346) and thirty-three hundred forty-seven (3347) of the compiled code of Iowa, and section thirty-three hundred forty-five (3345) of the supplement to said code, relating to relief for soldiers, sailors, and marines.

Read first and second times and referred to committee on county and township organization.

House File No. 145, by committee on code revision, a bill for an act to amend, revise, and codify chapter seventeen (17) of title twelve (12) of the compiled code of Iowa, relating to official newspapers.

Read first and second times and referred to committee on printing.

House File No. 148, by committee on code revision, a bill for an act to amend, revise, and codify chapter twenty (20) of title twelve (12) of the compiled code of Iowa, relating to changing names of villages.

Read first and second times and referred to committee on municipal corporations.

House File No. 149, by committee on code revision, a bill for an act to amend, revise, and codify section thirty-three hundred eighty-five (3385) of the compiled code of Iowa, relating to land surveys.

Read first and second times and referred to committee on county and township organization.

House File No. 151, by committee on code revision, a bill for an act to amend, revise, and codify sections thirty-four hundred twenty-four (3424) to thirty-four hundred thirty-five (3435), inclusive, thirty-four hundred forty (3440), thirty-four hundred forty-one (3441), thirty-four hundred forty-five (3445), thirty-four hundred forty-six (3446), thirty-four hundred forty-nine (3449), thirty four hundred fifty (3450), thirty-four hundred fifty-three (3453), thirty-four hundred fifty-four (3454), thirty-four hundred fifty-eight (3458) and thirty-four hundred fifty-nine (3459) of the compiled code of Iowa, and sections thirty-four hundred forty-five-a one (3445-a1) and thirty-four hundred forty-five-a two (3445-a2) of the supplement to said code, relating to townships and township officers.

Read first and second times and referred to committee on county and township organization.

House File No. 153, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand four hundred seventy-one (3471) to three thousand four hundred seventy-three (3473), inclusive, three thousand four hundred seventy-nine (3479) to three thousand four hundred eighty-one (3481), inclusive, three thousand four hundred eighty-eight

(3488), three thousand four hundred ninety-seven (3497), three thousand five hundred four (3504), and three thousand five hundred nineteen (3519) of the compiled code of Iowa, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 154, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand five hundred eight (3508), three thousand five hundred nine (3509), three thousand five hundred eleven (3511) to three thousand five hundred eighteen (3518), inclusive, three thousand five hundred twenty-one (3521), three thousand five hundred twenty-two (3522), three thousand five hundred thirty (3530) to three thousand five hundred thirty-three (3533), inclusive, three thousand five hundred thirty-five (3535), three thousand five hundred thirty-six (3536), three thousand five hundred forty-one (3541), three thousand five hundred fifty (3550), three thousand five hundred fifty-one (3551), three thousand five hundred fifty-three (3553), three thousand five hundred fifty-four (3554), three thousand six hundred forty (3640), and three thousand seven hundred sixty-six (3766) of the compiled code of Iowa and section thirty-five hundred eleven-a one (3511-a1) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 155, by committee on code revision, a bill for an act to amend, revise, and codify chapter five (5) of title thirteen (13) of the compiled code of Iowa and of the supplement to said code, and section forty-two hundred thirty-two (4232) of the compiled code of Iowa, and sections forty-two hundred ninety-seven-a one (4297-a1) to forty-two hundred ninety-seven-a nineteen (4297-a19), inclusive, of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 156, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand five hundred seventy-five (3575), three thousand five hundred seventy-seven (3577), and three thousand five hundred seventy-eight (3578) of the compiled code of Iowa, and section three thousand

five hundred eighty (3580) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 158, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand five hundred ninety-two (3592) to three thousand five hundred ninety-four (3594), inclusive, three thousand five hundred ninety-nine (3599) to three thousand six hundred two (3602), inclusive, three thousand six hundred five (3605) to three thousand six hundred twelve (3612), inclusive, three thousand six hundred twenty (3620), three thousand six hundred twenty-two (3622), three thousand six hundred twenty-three (3623), three thousand six hundred twenty-five (3625), three thousand six hundred twenty-six (3626), three thousand six hundred forty-two (3642) to three thousand six hundred forty-four (3644), inclusive, three thousand six hundred forty-seven (3647) to three thousand six hundred fifty-two (3652), inclusive, three thousand six hundred fifty-six (3656), three thousand six hundred fifty-nine (3659), and three thousand six hundred sixty-one (3661) to three thousand six hundred sixty-three (3663), inclusive, of the compiled code of Iowa, and section three thousand six hundred sixty (3660) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 160, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand six hundred eighty-seven (3687), three thousand seven hundred (3700) and three thousand seven hundred three (3703) of the compiled code of Iowa, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 163, by committee on code revision, a bill for an act to amend, revise, and codify sections thirty-seven hundred thirty-eight (3738) and thirty-seven hundred thirty-nine (3739) of the compiled code of Iowa, and sections thirty-seven hundred thirty-four (3734) and thirty-seven hundred thirty-seven-a one (3737-a1) of the supplement to said code, relating to juvenile playgrounds.

Read first and second times and referred to committee on municipal corporations.

House File No. 164, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand seven hundred forty-five (3745) to three thousand seven hundred forty-eight (3748), inclusive, of the compiled code of Iowa, and section three thousand seven hundred forty (3740) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 165, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand four hundred forty-three (3443) and three thousand seven hundred forty-nine (3749) of the compiled code of Iowa, and sections three thousand seven hundred fifty-two (3752) and three thousand seven hundred sixty (3760) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 166, by committee on code revision, a bill for an act to amend, revise, and codify section three thousand seven hundred seventy-seven (3777) of the compiled code of Iowa, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 167, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand seven hundred seventy-nine (3779) to three thousand seven hundred eighty-one (3781), inclusive, of the compiled code of Iowa, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 168, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand eight hundred eleven (3811), three thousand eight hundred twenty-five (3825), three thousand eight hundred thirty-six (3836), three thousand eight hundred forty (3840) to three thousand eight hundred forty-three (3843), inclusive, three thousand eight hundred forty-five (3845), and three thousand eight hundred forty-six (3846) of the compiled code of Iowa, and section three thousand eight hundred eight (3808) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 169, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand eight hundred thirty-five (3835), three thousand eight hundred forty-four (3844), three thousand eight hundred fifty (3850) to three thousand eight hundred sixty (3860), inclusive, three thousand eight hundred seventy-three (3873) to three thousand eight hundred seventy-seven (3877), inclusive, three thousand eight hundred seventy-nine (3879) to three thousand eight hundred eighty-eight (3888), inclusive, three thousand eight hundred ninety (3890) to three thousand eight hundred ninety-six (3896), inclusive, three thousand eight hundred ninety-eight (3898) to three thousand nine hundred two (3902), inclusive, three thousand nine hundred four (3904), three thousand nine hundred six (3906), three thousand nine hundred seven (3907), three thousand nine hundred ten (3910), three thousand nine hundred eleven (3911), three thousand nine hundred sixteen (3916), three thousand nine hundred twenty (3920) to three thousand nine hundred twenty-five (3925), inclusive, three thousand nine hundred twenty-seven (3927), and three thousand nine hundred twenty-eight (3928) of the compiled code of Iowa, and sections three thousand eight hundred forty-nine (3849), three thousand eight hundred seventy-eight (3878), three thousand eight hundred eighty-seven-a one (3887-a1), three thousand eight hundred eighty-nine (3889), three thousand nine hundred three (3903), three thousand nine hundred twelve (3912) to three thousand nine hundred fifteen (3915), inclusive, three thousand nine hundred seventeen (3917) to three thousand nine hundred nineteen (3919), inclusive, three thousand nine hundred twenty-two-a one (3922-a1) to three thousand nine hundred twenty-two-a five (3922-a5), inclusive, and three thousand nine hundred twenty-six (3926) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 170, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand eight hundred sixty-one (3861) to three thousand eight hundred seventy-two (3872), inclusive, three thousand nine hundred thirty-seven (3937), three thousand nine hundred thirty-eight (3938), three

thousand nine hundred fifty-three (3953), and three thousand nine hundred fifty-four (3954) of the compiled code of Iowa, and sections three thousand nine hundred forty-four (3944) and three thousand nine hundred fifty (3950) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 171, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand nine hundred fifty-five (3955), three thousand nine hundred fifty-six (3956), three thousand nine hundred sixty-four (3964) and three thousand nine hundred sixty-five (3965) of the compiled code of Iowa, and section three thousand nine hundred fifty-seven (3957) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 172, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand nine hundred sixty-six (3966) to three thousand nine hundred sixty-nine (3969), inclusive, three thousand nine hundred seventy-two (3972), three thousand nine hundred seventy-six (3976), and three thousand nine hundred seventy-seven (3977) of the compiled code of Iowa, and section four thousand six (4006) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 173, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand nine hundred eighty-seven (3987) and three thousand nine hundred ninety (3990) to three thousand nine hundred ninety-two (3992), inclusive, of the compiled code of Iowa, and sections three thousand nine hundred eighty-two (3982), and three thousand nine hundred eighty-eight (3988) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 174, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand nine

hundred ninety-five (3995), four thousand (4000), and four thousand one (4001) of the compiled code of Iowa, relating to municipal corporations.

Read first and second times and referred to committee on public utilities.

House File No. 175, by committee on code revision, a bill for an act to amend, revise, and codify sections four thousand twelve (4012) to four thousand twenty-two (4022), inclusive, of the compiled code of Iowa, relating to municipal corporations.

Read first and second times and referred to committee on public utilities.

House File No. 176, by committee on code revision, a bill for an act to amend, revise, and codify sections four thousand twenty-three (4023), four thousand twenty-four (4024), four thousand twenty-seven (4027), four thousand nine hundred sixty-nine (4969), four thousand nine hundred seventy (4970), three thousand seven hundred twenty-five (3725), three thousand seven hundred thirty-six (3736), three thousand seven hundred fifty-three (3753), three thousand seven hundred fifty-four (3754), and three thousand seven hundred seventy-five (3775) of the compiled code of Iowa, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 177, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand six hundred thirty (3630), three thousand six hundred thirty-one (3631), three thousand seven hundred twenty-six (3726), three thousand seven hundred thirty-three (3733), three thousand seven hundred thirty-seven (3737), three thousand seven hundred forty-one (3741), three thousand seven hundred fifty-nine (3759), three thousand eight hundred ninety-seven (3897), three thousand nine hundred five (3905), three thousand nine hundred nine (3909), three thousand nine hundred eighty-three (3983), four thousand nine (4009), four thousand thirty-one (4031) to four thousand thirty-four (4034), inclusive, four thousand thirty-seven (4037), four thousand thirty-nine (4039) to four thousand forty-one (4041), inclusive, four thousand fifty-two (4052), and four thousand fifty-three (4053) of the compiled code of Iowa, and sections three thousand four hundred eighty-five (3485), three thousand seven hundred fifty-eight (3758), four thousand thirty-eight

(4038), and four thousand fifty-one (4051) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 178, by committee on code revision, a bill for an act to amend, revise, and codify sections four thousand fifty-four (4054) to four thousand fifty-eight (4058), inclusive, three thousand seven hundred twenty-two (3722) to three thousand seven hundred twenty-four (3724); inclusive, three thousand seven hundred thirty-five (3735), three thousand seven hundred forty-two (3742) to three thousand seven hundred forty-four (3744), inclusive, three thousand seven hundred seventy-three (3773), three thousand seven hundred seventy-four (3774), and three thousand seven hundred seventy-eight (3778) of the compiled code of Iowa, and sections four thousand fifty-nine (4059), and three thousand six hundred thirty-eight (3638) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 179, by committee on code revision, a bill for an act to amend, revise, and codify sections three thousand six hundred thirty-three (3633), three thousand six hundred thirty-four (3634), three thousand nine hundred eight (3908), three thousand nine hundred fifty-one (3951), four thousand sixty-two (4062), four thousand sixty-three (4063), four thousand sixty-five (4065) to four thousand sixty-eight (4068), inclusive, of the compiled code of Iowa, and sections four thousand sixty-one (4061), four thousand sixty-five-a one (4065-a1) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 180, by committee on code revision, a bill for an act to amend, revise, and codify sections four thousand seventy-one (4071), four thousand seventy-two (4072) and four thousand seventy-three (4073) of the compiled code of Iowa, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 182, by committee on code revision, a bill for an act to amend, revise, and codify sections four thousand two hun-

dred ninety-nine (4299), four thousand three hundred six (4306), four thousand three hundred ten (4310), four thousand three hundred eighteen (4318), four thousand three hundred twenty (4320) to four thousand three hundred twenty-two (4322), inclusive, four thousand three hundred twenty-four (4324), four thousand three hundred twenty-five (4325), four thousand three hundred twenty-seven (4327), four thousand three hundred thirty (4330), four thousand three hundred thirty-six (4336), four thousand three hundred forty-five (4345), four thousand three hundred forty-six (4346), four thousand three hundred forty-eight (4348) to four thousand three hundred fifty (4350), inclusive, four thousand three hundred fifty-two (4352) to four thousand three hundred fifty-five (4355), inclusive, four thousand three hundred fifty-seven (4357), four thousand three hundred fifty-nine (4359) to four thousand three hundred sixty-seven (4367), inclusive, four thousand three hundred sixty-nine (4369), four thousand three hundred seventy-one (4371), four thousand three hundred seventy-nine (4379) to four thousand three hundred eighty-three (4383), inclusive, four thousand three hundred ninety-two (4392) to four thousand three hundred ninety-five (4395), inclusive, four thousand four hundred (4400) to four thousand four hundred two (4402), inclusive, four thousand four hundred four (4404), four thousand four hundred six (4406) to four thousand four hundred eight (4408), inclusive, four thousand four hundred ten (4410), four thousand four hundred twelve (4412) to four thousand four hundred fourteen (4414), inclusive, four thousand four hundred seventeen (4417), four thousand four hundred forty (4440) to four thousand four hundred forty-four (4444), inclusive, of the compiled code of Iowa, and sections four thousand three hundred twenty-three (4323), four thousand three hundred twenty-eight (4328), four thousand three hundred twenty-nine (4329), four thousand three hundred forty-seven (4347), four thousand three hundred fifty-one (4351), four thousand three hundred fifty-six (4356), four thousand three hundred fifty-eight (4358), four thousand three hundred seventy-eight (4378), four thousand three hundred ninety-four-a one (4394-a1), four thousand four hundred three (4403), four thousand four hundred nine (4409), four thousand four hundred forty-a one (4440-a1), four thousand four hundred sixty-eight (4468), and four thousand four hundred sixty-eight-a one (4468-a1) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

House File No. 183, by committee on code revision, a bill for an act to amend, revise, and codify sections four thousand four hundred eighty-three (4483) to four thousand four hundred eighty-seven (4487), inclusive, four thousand five hundred eight (4508), four thousand five hundred nine (4509), four thousand five hundred ten (4510), four thousand five hundred eleven (4511), four thousand five hundred thirteen (4513), four thousand five hundred sixty-seven (4567), four thousand six hundred nineteen (4619), four thousand six hundred twenty (4620), and four thousand six hundred ninety-three (4693) of the compiled code of Iowa, and sections four thousand four hundred eighty-two (4482), four thousand four hundred ninety-three (4493), four thousand four hundred ninety-nine (4499), four thousand four hundred ninety-nine-a one (4499-a1), four thousand five hundred (4500), and four thousand six hundred nine (4609) of the supplement to said code, relating to taxation.

Read first and second times and referred to committee on ways and means.

House File No. 185, by committee on code revision, a bill for an act to amend, revise, and codify chapters one (1), two (2), and two-a (2-a) of the compiled code of Iowa and of the supplement to said code, relating to levees, ditches, drains, and watercourses.

Read first and second times and referred to committee on drainage.

House File No. 186, by committee on code revision, a bill for an act to amend, revise, and codify chapters three (3) and four (4) of title fifteen (15) of the compiled code of Iowa, relating to mill dams, races and water power improvements.

Read first and second times and referred to committee on conservation of resources.

House File No. 187, by committee on code revision, a bill for an act to amend, revise, and codify sections forty-nine hundred fifty-nine (4959) to forty-nine hundred sixty-one (4961), inclusive, forty-nine hundred sixty-three (4963) to forty-nine hundred sixty-five (4965), inclusive, forty-nine hundred sixty-seven (4967), forty-nine hundred sixty-eight (4968), forty-nine hundred seventy-one (4971) to forty-nine hundred seventy-five (4975), inclusive, forty-nine hundred seventy-seven (4977) to forty-nine hundred eighty-

one (4981), inclusive, forty-nine hundred eighty-three (4983) to fifty hundred one (5001), inclusive, fifty hundred eight (5008), and fifty hundred eleven (5011) of the compiled code of Iowa and sections forty-nine hundred fifty-nine-a one (4959-a1), forty-nine hundred sixty-eight-a one (4968-a1), and forty-nine hundred seventy-a one (4970-a1) of the supplement to said code, relating to the condemnation of private property for works of internal improvement and for other public uses and purposes.

Read first and second times and referred to committee on judiciary.

House File No. 188, by committee on code revision, a bill for an act to amend, revise, and codify sections fifty hundred fourteen (5014) to fifty hundred sixteen (5016), inclusive, fifty hundred eighteen (5018), fifty hundred twenty-two (5022), fifty hundred twenty-four (5024) to fifty hundred twenty-six (5026), inclusive, fifty-one hundred eighty-six (5186), fifty-one hundred eighty-eight (5188) to fifty-one hundred ninety-two (5192), inclusive, fifty-two hundred four (5204) and fifty-two hundred six (5206) of the compiled code of Iowa, and section fifty hundred forty-four (5044) of the supplement to said code, relating to the board of railroad commissioners, their jurisdiction and duties.

Read first and second times and referred to committee on railroads.

House File No. 189, by committee on code revision, a bill for an act to amend, revise, and codify chapter two (2) of title sixteen (16) of the compiled code of Iowa, and of the supplement to said code, relating to commerce counsel.

Read first and second times and referred to committee on railroads.

House File No. 190, by committee on code revision, a bill for an act to amend, revise, and codify sections forty-nine hundred eighty-two (4982), fifty hundred two (5002) to fifty hundred seven (5007), inclusive, fifty hundred twelve (5012), fifty hundred thirteen (5013), fifty hundred fifty-one (5051), fifty hundred fifty-two (5052), fifty hundred sixty-five (5065), fifty hundred seventy-two (5072), fifty hundred seventy-four (5074), fifty hundred seventy-five (5075), fifty hundred seventy-eight (5078), fifty hundred eighty (5080) to fifty hundred eighty-five (5085), inclusive, fifty-one hundred one (5101) to fifty-one hundred three (5103), inclusive, fifty-one hundred five (5105) to fifty-one

hundred seven (5107), inclusive, fifty-one hundred seventy-one (5171), fifty-one hundred seventy-two (5172) of the compiled code of Iowa, and fifty-one hundred seventy-two-a one (5172-a1) to fifty-one hundred seventy-two-a four (5172-a4), inclusive, of the supplement to said code, relating to the construction and operation of railways.

Read first and second times and referred to committee on railroads.

House File No. 191, by committee on code revision, a bill for an act to amend, revise, and codify sections thirty hundred thirty-nine (3039), fifty hundred twenty-seven (5027) to fifty hundred thirty-three (5033), inclusive, and fifty hundred thirty-seven (5037) to fifty hundred forty-three (5043), inclusive, of the compiled code of Iowa, and section thirty hundred thirty-eight (3038) of the supplement to said code, relating to electric and other wires crossing railroad tracks and to electric transmission lines and franchises.

Read first and second times and referred to committee on public utilities.

House File No. 192, by committee on code revision, a bill for an act to amend, revise, and codify sections fifty-one hundred twenty-one (5121) to fifty-one hundred twenty-three (5123), inclusive, and fifty-one hundred thirty (5130) to fifty-one hundred thirty-eight (5138), inclusive, of the compiled code of Iowa, relating to taxes in aid of railways.

Read first and second times and referred to committee on railroads.

House File No. 193, by committee on code revision, a bill for an act to amend, revise, and codify section fifty hundred seventy-three (5073) of the compiled code of Iowa, relating to cattle guards and highway crossing signs.

Read first and second times and referred to committee on railroads.

House File No. 194, by committee on code revision, a bill for an act to amend, revise, and codify section fifty hundred ninety (5090) of the compiled code of Iowa, relating to liability for negligence of employees and contracts of insurance relief, benefit or indemnity between railway corporations and their employees in case of injury or death.

Read first and second times and referred to committee on labor.

House File No. 195, by committee on code revision, a bill for an act to amend, revise, and codify section fifty hundred ninety-two (5092) of the compiled code of Iowa, and sections fifty-two hundred forty-one (5241) and fifty-two hundred forty-one-a one (5241-a1) of the supplement to said code, relating to steam and interurban railway crossings at grade and the duty of employees.

Read first and second times and referred to committee on railroads.

House File No. 196, by committee on code revision, a bill for an act to amend, revise, and codify sections fifty-one hundred seventy-three (5173) and fifty-one hundred seventy-six (5176) of the compiled code of Iowa, and section fifty hundred nineteen (5019) of the supplement to said code, relating to regulation of carriers and definition of terms.

Read first and second times and referred to committee on railroads.

House File No. 197, by committee on code revision, a bill for an act to amend, revise, and codify sections fifty-two hundred one (5201), fifty-two hundred five (5205), fifty-two hundred twenty (5220) to fifty-two hundred twenty-two (5222), inclusive, of the compiled code of Iowa, relating to regulation of carriers.

Read first and second times and referred to committee on railroads.

House File No. 198, by committee on code revision, a bill for an act to amend, revise, and codify sections fifty-one hundred seventy-nine-a one (5179-a1) to fifty-one hundred seventy-nine-a thirteen (5179-a13), inclusive, of the supplement to the compiled code of Iowa, relating to regulation of common carriers in respect to schedules of rates and charges.

Read first and second times and referred to committee on railroads.

House File No. 200, by committee on code revision, a bill for an act to amend, revise, and codify sections five thousand ten (5010), fifty-two hundred thirty-nine (5239), fifty-two hundred forty (5240), fifty-two hundred forty-two (5242), fifty-two hundred forty-three (5243), fifty-two hundred forty-five (5245), fifty-two hundred forty-six (5246) and fifty-two hundred forty-nine (5249) of the compiled code of Iowa, relating to interurban railways.

Read first and second times and referred to committee on railroads.

House File No. 201, by committee on code revision, a bill for an act to amend, revise, and codify sections five thousand three hundred forty-five (5345), five thousand four hundred twenty-one (5421), five thousand four hundred forty-four (5444), and five thousand four hundred forty-eight (5448), of the compiled code of Iowa, relating to corporations for pecuniary profit.

Read first and second times and referred to committee on private corporations.

House File No. 202, by committee on code revision, a bill for an act to amend, revise, and codify sections fifty-three hundred seventy-seven (5377) and fifty-three hundred seventy-eight (5378) of the compiled code of Iowa, relating to corporate shares of stock.

Read first and second times and referred to committee on private corporations.

House File No. 203, by committee on code revision, a bill for an act to amend, revise, and codify sections five thousand three hundred ninety-eight (5398) and five thousand four hundred one (5401) of the compiled code of Iowa, relating to cooperative associations.

Read first and second times and referred to committee on private corporations.

House File No. 205, by committee on code revision, a bill for an act to amend, revise, and codify section five thousand four hundred sixty-one (5461) of the compiled code of Iowa, and sections five thousand four hundred sixty (5460) and five thousand four hundred sixty-two (5462) of the supplement to said code, relating to the insurance department.

Read first and second times and referred to committee on insurance.

House File No. 207, by committee on code revision, a bill for an act to amend, revise, and codify sections five thousand six hundred seventeen (5617), and five thousand six hundred eighteen (5618) of the compiled code of Iowa, and sections five thousand four hundred ninety-six (5496), and five thousand six hundred five (5605) of the supplement to said code, relating to insurance other than life.

Read first and second times and referred to committee on insurance.

House File No. 208, by committee on code revision, a bill for an act to amend, revise, and codify sections five thousand seven hundred forty-one (5741), five thousand seven hundred forty-two (5742), five thousand seven hundred forty-nine (5749) and fifty-seven hundred fifty-two (5752) of the compiled code of Iowa, and section five thousand seven hundred forty-four (5744) of the supplement to said code, relating to the banking department.

Read first and second times and referred to committee on banks and banking.

House File No. 210, by committee on code revision, a bill for an act to amend, revise, and codify sections sixty-two hundred five (6205) and sixty-two hundred six (6206) of the compiled code of Iowa, relating to unfair discrimination.

Read first and second times and referred to committee on judiciary.

House File No. 211, by committee on code revision, a bill for an act to amend, revise, and codify sections sixty-two hundred twenty-seven (6227) to sixty-two hundred twenty-nine (6229), inclusive, and sixty-two hundred thirty-four (6234) to sixty-two hundred thirty-six (6236), inclusive, of the compiled code of Iowa, relating to unlawful combinations, pools, and trusts in the business of buying, selling, handling, or transporting any commodity or article of commerce and penalties for violation of said provisions.

Read first and second times and referred to committee on judiciary.

House File No. 212, by committee on code revision, a bill for an act to amend, revise, and codify chapter seven (7) of title twenty-one (21) and chapters one (1) to six (6), inclusive, of title twenty-four (24) of the compiled code of Iowa and of the supplement to said code, relating to certain special liens.

Read first and second times and referred to committee on judiciary.

House File No. 213, by committee on code revision, a bill for an act to amend, revise, and codify sections sixty-five hundred eighty-nine (6589), sixty-five hundred ninety (6590), sixty-five hundred ninety-six (6596) and sixty-six hundred (6600) of the compiled code of Iowa, and sections sixty-six hundred thirty-seven (6637) and eighty-six hundred eighteen (8618) of the supplement to said code, relating to marriages and incest.

Read first and second times and referred to committee on judiciary.

House File No. 215, by committee on code revision, a bill for an act to amend, revise, and codify section sixty-six hundred thirty (6630) of the compiled code of Iowa, and section sixty-six hundred twenty-nine (6629) of the supplement to said code, relating to divorce and the remarriage of divorced persons.

Read first and second times and referred to committee on judiciary.

House File No. 218, by committee on code revision, a bill for an act to amend, revise, and codify section sixty-six hundred eighty-six (6686) and chapter ten (10) of title twenty-six (26) of the compiled code of Iowa, relating to adoption, and master and apprentice.

Read first and second times and referred to committee on judiciary.

House File No. 220, by committee on code revision, a bill for an act to amend, revise, and codify sections six thousand eight hundred forty-one (6841) to six thousand eight hundred forty-three (6843), inclusive, six thousand eight hundred forty-five (6845) to six thousand eight hundred eighty-seven (6887), inclusive, six thousand eight hundred eighty-nine (6889), six thousand eight hundred ninety-one (6891) to six thousand eight hundred ninety-five (6895), inclusive, and six thousand nine hundred (6900) of the compiled code of Iowa, and sections six thousand eight hundred forty (6840), six thousand eight hundred forty-four (6844), six thousand eight hundred eighty-eight (6888), and six thousand eight hundred ninety (6890) of the supplement to said code, relating to municipal courts.

Read first and second times and referred to committee on judiciary.

House File No. 221, by committee on code revision, a bill for an act to amend, revise, and codify sections six thousand nine hundred eight (6908) and six thousand nine hundred eleven (6911) of the compiled code of Iowa, relating to superior courts.

Read first and second times and referred to committee on judiciary.

House File No. 227, by committee on code revision, a bill for an act to amend, revise, and codify section seven thousand one

hundred forty-eight (7148) of the compiled code of Iowa, relating to the place of bringing actions.

Read first and second times and referred to committee on judiciary.

House File No. 228, by committee on code revision, a bill for an act to amend, revise, and codify sections seven thousand one hundred sixty-three (7163), seven thousand one hundred seventy-one (7171) to seven thousand one hundred seventy-three (7173), inclusive, seven thousand one hundred eighty (7180), seven thousand one hundred eighty-one (7181), seven thousand one hundred eighty-three (7183) to seven thousand one hundred eighty-five (7185), inclusive, and seven thousand one hundred eighty-nine (7189), of the compiled code of Iowa, relating to the manner of commencing actions.

Read first and second times and referred to committee on judiciary.

House File No. 229, by committee on code revision, a bill for an act to amend, revise, and codify sections seven thousand two hundred three (7203), seven thousand two hundred eight (7208), seven thousand two hundred nine (7209), seven thousand two hundred twelve (7212), seven thousand two hundred eighteen (7218), and seven thousand two hundred twenty-two (7222) of the compiled code of Iowa, relating to pleadings.

Read first and second times and referred to committee on judiciary.

House File No. 230, by committee on code revision, a bill for an act to amend, revise, and codify sections seventy-three hundred sixty-two (7362), seventy-three hundred ninety-two (7392) to seventy-three hundred ninety-four (7394), inclusive, seventy-three hundred ninety-six (7396) and seventy-three hundred ninety-eight (7398) of the compiled code of Iowa, relating to evidence.

Read first and second times and referred to committee on judiciary.

House File No. 231, by committee on code revision, a bill for an act to amend, revise, and codify sections seven thousand four hundred forty-seven (7447), seven thousand four hundred fifty (7450), seven thousand four hundred fifty-one (7451), and seven thousand five hundred eighty-one (7581) of the compiled code of Iowa, relating to trial and judgment.

Read first and second times and referred to committee on judiciary.

House File No. 234, by committee on code revision, a bill for an act to amend, revise, and codify section seventy-seven hundred fifty-nine (7759) of the compiled code of Iowa, relating to the examination of debtors in proceedings auxiliary to execution.

Read first and second times and referred to committee on judiciary.

House File No. 236, by committee on code revision, a bill for an act to amend, revise, and codify section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa, relating to estate of decedents.

Read first and second times and referred to committee on judiciary.

House File No. 237, by committee on code revision, a bill for an act to amend, revise, and codify sections seven thousand seven hundred ninety-one (7791), seven thousand eight hundred twenty-nine (7829), and seven thousand eight hundred thirty (7830) of the compiled code of Iowa, and sections seven thousand eight hundred thirty-two-a one (7832-a1) to seven thousand eight hundred thirty-two-a four (7832-a4), inclusive, of the supplement to said code, relating to wills and letters of administration.

Read first and second times and referred to committee on judiciary.

House File No. 239, by committee on code revision, a bill for an act to amend, revise, and codify section seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to distribution of intestate property.

Read first and second times and referred to committee on judiciary.

House File No. 241, by committee on code revision, a bill for an act to amend, revise, and codify sections eight thousand one hundred sixty (8160), eight thousand one hundred sixty-one (8161), eight thousand one hundred sixty-six (8166), and eight thousand one hundred seventy-eight (8178) of the compiled code of Iowa, relating to foreclosure of mortgages.

Read first and second times and referred to committee on judiciary.

House File No. 245, by committee on code revision, a bill for an act to amend, revise, and codify sections eight thousand four hundred seventy-eight (8478) and eight thousand four hundred seventy-nine (8479) of the compiled code of Iowa, relating to the clerk of the supreme court.

Read first and second times and referred to committee on judiciary.

House File No. 246, by committee on code revision, a bill for an act to amend, revise, and codify sections seventy hundred thirty-two (7032), eighty-four hundred eighty-six (8486), eighty-four hundred ninety (8490), eighty-four hundred ninety-one (8491), eighty-four hundred ninety-five (8495), eighty-four hundred ninety-six (8496), eighty-four hundred ninety-seven (8497), eighty-four hundred ninety-nine (8499), eighty-five hundred (8500), eighty-five hundred two (8502), eighty-five hundred four (8504) and eighty-five hundred twenty-eight (8528) of the compiled code of Iowa, relating to procedure in the supreme court.

Read first and second times and referred to committee on judiciary.

House File No. 247, by committee on code revision, a bill for an act to amend, revise, and codify section eighty-five hundred eighty-two (8582) of the compiled code of Iowa, relating to carrying dangerous weapons and permits therefor.

Read first and second times and referred to committee on judiciary.

House File No. 250, by committee on code revision, a bill for an act to amend, revise, and codify chapter one (1) of title thirty-four (34) of the compiled code of Iowa, relating to magistrates and peace officers.

Read first and second times and referred to committee on judiciary.

House File No. 251, by committee on code revision, a bill for an act to amend, revise, and codify sections ninety-one hundred eighty-six (9186) to ninety-one hundred eighty-nine (9189), inclusive, of the compiled code of Iowa, relating to the taking of security from witnesses in criminal cases.

Read first and second times and referred to committee on judiciary.

House File No. 252, by committee on code revision, a bill for an

act to amend, revise, and codify section ninety-five hundred sixty-two (9562) of the compiled code of Iowa, relating to appeals in criminal cases.

Read first and second times and referred to committee on judiciary.

House File No. 253, by committee on code revision, a bill for an act to amend, revise, and codify section ninety-five hundred eighty-nine (9589) of the compiled code of Iowa, relating to the dismissal of criminal proceedings and the effect thereof.

Read first and second times and referred to committee on judiciary.

House File No. 254, by committee on code revision, a bill for an act to amend, revise, and codify chapter seven (7) of title twenty-four (24), sections eighty-four hundred twenty-nine (8429) and eighty-four hundred thirty (8430) of the compiled code of Iowa, and sections eighty-four hundred twenty-seven (8427) and eighty-four hundred twenty-eight (8428) of the supplement to said code, relating to bonds for the performance of contracts for public improvements, and to the rights of persons who furnish labor or materials on such improvements.

Read first and second times and referred to committee on judiciary.

House File No. 256, by committee on code revision, a bill for an act to amend, revise, and codify sections sixty-six hundred forty-five (6645) and sixty-six hundred seventy-one (6671) of the compiled code of Iowa, and sections sixty-six hundred fifty-two (6652), sixty-six hundred seventy (6670), seventy-eight hundred forty-eight (7848), and seventy-eight hundred forty-eight-a one (7848-a1) of the supplement to said code, relating to the appointment and bonds of guardians, and to the sale or mortgage of the property of persons under guardianship, and of persons deceased.

Read first and second times and referred to committee on judiciary.

House File No. 257, by committee on code revision, a bill for an act to amend, revise, and codify chapter seven-A (7-A) and chapter seven-B (7-B) of title five (5) of the supplement to the compiled code of Iowa, relating to cigarettes, cigarette papers, wrappers, and tubes and to the sale and advertisement of tobacco.

Read first and second times and referred to committee on police regulations.

House File No. 258, by committee on code revision, a bill for an act to amend, revise, and codify sections forty-two hundred nineteen (4219), forty-two hundred nineteen-a one (4219-a1), and forty-two hundred twenty-four (4224) of the supplement to the compiled code of Iowa, relating to the nomination and election of officers, employees, and assistants in cities acting under the commission form of government.

Read first and second times and referred to committee on municipal corporations.

House File No. 260, by committee on code revision, a bill for an act to amend, revise, and codify chapters two (2), three (3), four (4), and ten (10) of title six (6), and sections thirteen hundred thirty-five (1335) to thirteen hundred thirty-eight (1338), inclusive, thirteen hundred forty-six (1346) to thirteen hundred fifty-five (1355), inclusive, thirty-four hundred forty-seven (3447), thirty-four hundred forty-eight (3448), forty-one hundred fourteen (4114), forty-two hundred ten (4210), forty-two hundred eleven (4211), and forty-two hundred thirteen (4213) of the compiled code of Iowa, and chapters one (1) and five (5) of title six (6) of the compiled code of Iowa and the supplement to said code, and chapters one-A (1-A), four-A (4-A), nine-A (9-A), and eleven (11) of title six (6) of the supplement to the compiled code of Iowa, relating to public health.

Read first and second times and referred to committee on public health.

House File No. 261, by committee on code revision, a bill for an act to amend, revise, and codify chapters four (4), nine (9), ten (10), eleven (11), and fourteen (14) of title seven (7), chapter forty-six (46) of title thirty-three (33), and sections nine hundred (900) to nine hundred two (902), inclusive, nine hundred four (904) to nine hundred six (906), inclusive, nine hundred eight (908) to nine hundred thirteen (913), inclusive, fourteen hundred twenty-four (1424), fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, fourteen hundred thirty-three (1433) to fourteen hundred thirty-nine (1439), inclusive, fourteen hundred forty-one (1441), fourteen hundred forty-four (1444), fourteen hundred forty-six (1446) to fourteen hundred fifty-one (1451), inclusive, fourteen hundred fifty-three (1453) to fourteen hundred sixty-eight (1468), inclusive, fourteen hundred seventy (1470), fourteen hundred

seventy-one (1471), fourteen hundred seventy-three (1473) to fourteen hundred seventy-seven (1477), inclusive, fourteen hundred seventy-nine (1479), fourteen hundred eighty (1480), fifteen hundred thirty-three (1533) to fifteen hundred thirty-five (1535), inclusive, fifteen hundred sixty-eight (1568) to fifteen hundred seventy-one (1571), inclusive, fifteen hundred seventy-three (1573) to fifteen hundred eighty-five (1585), inclusive, fifteen hundred eighty-seven (1587) to fifteen hundred ninety-one (1591), inclusive, fifteen hundred ninety-three (1593) to sixteen hundred six (1606), inclusive, and eighty-eight hundred fifty-two (8852), of the compiled code of Iowa; chapters seven (7) and twelve (12) of title (7) of the compiled code and of the supplement to said code; chapter twenty-four (24) of title five (5), chapter fourteen-A (14-A) of title six (6), and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432), fourteen hundred forty-five (1445), fourteen hundred forty-five-a one (1445-a1) to fourteen hundred forty-five-a three (1445-a3), inclusive, fourteen hundred seventy-eight (1478), fifteen hundred thirty-two-a one (1532-a1) to fifteen hundred thirty-two-a fourteen (1532-a14), inclusive, fifteen hundred thirty-two-a sixteen (1532-a16), fifteen hundred seventy-two (1572), and fifteen hundred eighty-six (1586) of the supplement to the compiled code of Iowa, relating to regulation and inspection of foods, drugs, and other articles.

Read first and second times and referred to committee on animal industry.

House File No. 262, by committee on code revision, a bill for an act to amend, revise, and codify sections thirteen hundred twenty-seven (1327) to thirteen hundred twenty-nine (1329), inclusive, thirteen hundred thirty-two (1332) to thirteen hundred thirty-four (1334), inclusive, thirteen hundred thirty-nine (1339) to thirteen hundred forty-four (1344), inclusive, fourteen hundred twelve (1412), fourteen hundred sixteen (1416) to fourteen hundred nineteen (1419), inclusive, fourteen hundred twenty-one (1421) to fourteen hundred twenty-three (1423), inclusive, fourteen hundred twenty-five (1425), and fourteen hundred twenty-six (1426) of the compiled code of Iowa, and chapters six (6), twelve (12), and thirteen (13) of title six (6) of the compiled code of Iowa and the supplement to said code, and chapters six-A (6-A), seven (7), and seven-A (7-A) of title six (6), and sections thirteen hundred

thirty (1330), thirteen hundred thirty-one (1331), thirteen hundred forty-five (1345), fourteen hundred thirteen (1413) to fourteen hundred fifteen (1415), inclusive, and fourteen hundred twenty (1420) of the supplement to the compiled code of Iowa, relating to the practice of certain professions affecting the public health.

Read first and second times and referred to committee on public health.

House File No. 263, by committee on code revision, a bill for an act to amend, revise, and codify sections two hundred forty-one-a four (241-a4), two hundred forty-one-a sixty-four-b (241-a64b), two hundred forty-one-a sixty-four-c (241-a64c), two hundred forty-one-a sixty-five (241-a65), and two hundred forty-one-a seventy-four (241-a74) of the supplement to the compiled code of Iowa, relating to the state printing board and to the public reports of various public offices.

Read first and second times and referred to committee on printing.

House File No. 264, by committee on code revision, a bill for an act to amend, revise, and codify section thirty-two hundred thirty-one-a nine (3231-a9) of the supplement to the compiled code of Iowa, relating to compensation of county attorney.

Read first and second times and referred to committee on county and township organization.

House File No. 265, by committee on code revision, a bill for an act to amend, revise, and codify sections ten hundred twenty-one (1021) and ten hundred twenty-two (1022) of the compiled code of Iowa, relating to railways and to offenses thereon, and to the right to remove intoxicated persons therefrom.

Read first and second times and referred to committee on railroads.

House File No. 266, by committee on code revision, a bill for an act to amend, revise, and codify chapters six (6) and seven (7) of title twenty-eight (28) of the compiled code of Iowa, and of the supplement to said code, and sections seventy-four hundred eighty-three (7483), ninety-three hundred (9300), and ninety-four hundred twenty-one (9421) of the compiled code of Iowa, relating to jurors.

Read first and second times and referred to committee on judiciary.

House File No. 267, by committee on code revision, a bill for an act to repeal paragraphs twenty-three (23) and twenty-four (24) of section sixty-nine hundred eighty-two (6982) of the supplement to the compiled code of Iowa, relating to the fees chargeable by the clerk of the district court.

Read first and second times and referred to committee on judiciary.

House File No. 268, by committee on code revision, a bill for an act to amend, revise, and codify sections seventy-three hundred thirty-two (7332) and seventy-three hundred thirty-three (7333) of the compiled code of Iowa, relating to the statute of frauds.

Read first and second times and referred to committee on judiciary.

House File No. 269, by committee on code revision, a bill for an act to repeal paragraph one (1) of section seventy-one hundred sixteen (7116) of the compiled code of Iowa and to enact a substitute therefor, relating to the statute of limitation.

Read first and second times and referred to committee on judiciary.

House File No. 270, by committee on code revision, a bill for an act to amend, revise, and codify sections eighty-one hundred eighty-two (8182), eighty-one hundred eighty-three (8183), and eighty-one hundred eighty-four (8184) of the compiled code of Iowa, relating to the forfeiture of contracts to sell or to agree to sell an interest in real estate.

Read first and second times and referred to committee on judiciary.

House File No. 271, by committee on code revision, a bill for an act to amend, revise, and codify section eighty-one hundred twenty-three (8123) of the compiled code of Iowa, relating to abstracts of title in partition proceedings.

Read first and second times and referred to committee on judiciary.

House File No. 272, by committee on code revision, a bill for an act to amend, revise, and codify section eighty-nine hundred two (8902) of the compiled code of Iowa, relating to corruption in elections.

Read first and second times and referred to committee on judiciary.

House File No. 273, by committee on code revision, a bill for an act to amend, revise, and codify section eighty-one hundred sixty-eight (8168) of the compiled code of Iowa, relating to the release of common law or statutory liens on personal property.

Read first and second times and referred to committee on judiciary.

House File No. 274, by committee on code revision, a bill for an act to amend, revise, and codify sections ninety-two hundred eighty-seven (9287), ninety-three hundred fifty-two (9352) and ninety-three hundred eighty-nine (9389) of the compiled code of Iowa, relating to indictments, trial information, and demurrers thereto.

Read first and second times and referred to committee on judiciary.

House File No. 275, by committee on code revision, a bill for an act to amend, revise, and codify chapter twenty-five-A (25-A) of title four (4) of the supplement to the compiled code of Iowa, relating to the sale of public bonds.

Read first and second times and referred to committee on judiciary.

House File No. 276, by committee on code revision, a bill for an act to amend, revise, and codify chapter twenty-four-A (24-A) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theaters, pool and billiard rooms and bowling alleys.

Read first and second times and referred to committee on county and township organization.

House File No. 277, by committee on code revision, a bill for an act to amend, revise, and codify chapter seventeen (17) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, sections thirty hundred forty-one (3041) to thirty hundred forty-four (3044), inclusive, eighty-eight hundred sixty-two (8862) and eighty-eight hundred sixty-three (8863) of the compiled code of Iowa, and sections eighty-six hundred forty-five-a five (8645-a5) to eighty-six hundred forty-five-a seven (8645-a7), inclusive, of the supplement to the compiled code of Iowa, relating to motor vehicles, travel upon the public highways, and criminal offenses relative to said subject matters.

Read first and second times and referred to committee on motor vehicles and transportation.

House File No. 278, by committee on code revision, a bill for an

act to amend, revise, and codify section nine thousand and one (9001) of the compiled code of Iowa, relating to escapes.

Read first and second times and referred to committee on judiciary.

House File No. 279, by committee on code revision, a bill for an act to amend, revise, and codify section thirty-two hundred twenty-nine (3229) of the compiled code of Iowa, and section thirty-two hundred twenty-eight (3228) of the supplement to said code, relating to the coroner.

Read first and second times and referred to committee on county and township organization.

House File No. 280, by committee on code revision, a bill for an act to amend, revise, and codify section eighty hundred twenty (8020) of the compiled code of Iowa, relating to garnishment.

Read first and second times and referred to committee on judiciary.

House File No. 281, by committee on code revision, a bill for an act to amend, revise, and codify section sixty-three hundred forty-one (6341) of the compiled code of Iowa, relating to future estates.

Read first and second times and referred to committee on judiciary.

House File No. 282, by committee on code revision, a bill for an act to amend, revise, and codify section ninety-four hundred twenty-seven (9427) of the compiled code of Iowa, relating to preemptory challenges in the trial of criminal causes.

Read first and second times and referred to committee on judiciary.

House File No. 283, by committee on code revision, a bill for an act to amend, revise, and codify sections nine hundred twenty (920) to nine hundred sixty-one (961), inclusive, and nine hundred eighty (980) of the compiled code of Iowa, relating to the sale and transportation of intoxicating liquors under permits.

Read first and second times and referred to committee on suppression of intemperance.

#### REPORTS OF COMMITTEES

Unanimous consent having been obtained to return to the order of reports of committees, Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 210, a bill for an act to amend, revise and codify sections sixty-two hundred five (6205) and sixty-two hundred six (6206) of the compiled code of Iowa, relating to unfair discrimination, beg leave to report they have had 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. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 82, a bill for an act to amend, revise, and codify chapter twelve (12) of title twenty-three (23) of the compiled code of Iowa, and sections sixty-four hundred ninety-two (6492) and sixty-five hundred one (6501) of the supplement to said code, relating to trustees to manage cemetery 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 do pass.

C. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 61, a bill for an act to amend, revise and codify chapter twenty-three (23) of title five (5) of the compiled code of Iowa, relating to gold and silver alloy, beg leave to report they have had 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. F. CLARK, *Chairman*.

Report adopted.

On motion of Smith of Lucas the House adjourned until 10 a. m. Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 5, 1923.

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

Prayer was offered by the Rev. John A. Kettle, pastor of the M. E. Church, Odebolt, Iowa.

Journal of December 4th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Williams of Montgomery for the remainder of the week on request of Leonard of Taylor.

## CONSIDERATION OF REPORT OF COMMITTEE ON CODE REVISION

The House resumed consideration of the report of the committee on code revision, submitted on December 4th, found on page 12 of the House Journal and relating to the introduction in and consideration of bills by the House during this session.

McClune of Mahaska offered the following substitute for the report of the committee:

MR. SPEAKER: I move to substitute for the report of the committee on code revision, and all amendments thereto, the following recommendations:

That during this extraordinary session of the general assembly no bills shall be introduced in, or considered by the House of Representatives before the twenty-second day of January, 1924, except the printed bills numbering one (1) to two hundred eighty-three (283) designated by the code editor as code commission bills; bills for legalizing acts, the bills prepared and heretofore reported by the joint legislative tax committee, bills providing for the editing, printing and publishing of the revised code and supplements thereto; bills providing for the salaries and expenses incident to this extraordinary session.

Substitute lost.

## ELECTION OF SPEAKER PRO TEMPORE

The hour of 11 o'clock having arrived, the House proceeded to the selection of a speaker pro tempore.

Storey of Warren placed in nomination the name of O. A. Ontjes of Grundy county.

Diltz of Polk placed in nomination the name of Clyde H. Doolittle of Delaware county.

Lovrien of Humboldt seconded the nomination of Mr. Doolittle.

Berry of Monroe seconded the nomination of Mr. Ontjes.

No other nominations being made, Ulstad of Wright moved that the House proceed to the election of speaker pro tempore by ballot.

Motion prevailed.

Mr. Speaker appointed Garber of Adair and Rassler of Pocahontas as tellers.

The members of the House then proceeded to vote for speaker pro tempore by ballot.

Doolittle of Delaware moved that the chief clerk be authorized to cast the unanimous vote of the members of the House for Mr. Ontjes for speaker pro tempore of the House of Representatives of the Fortieth extraordinary session.

Motion prevailed, and in accordance therewith, Chief Clerk Gustafson cast a unanimous vote for Mr. Ontjes for speaker pro tempore.

Mr. Ontjes was thereupon declared elected speaker pro tempore of the House, and took the required oath of office.

## BUSINESS PENDING

The House resumed consideration of the report of the committee on code revision relative to the introduction in and consideration of bills by the House during this session.

The question was on the adoption of the amendment to the report, offered by Forsling of Woodbury and found on page 12 of the House Journal of December 4th.

A roll call was demanded.

On the question "Shall the amendment to the report be adopted?"

The Ayes were:

Aiken	Forsling	Mathews	Saunders
Anderson of Webster	Frahm	Matthiesen	Schirmer
Berry	Garber of Floyd	Miller	Schulte
Blake	Gesman	Napier	Scott of Appanoose
Blume	Gibson	Natvig	Slemmons
Bradley	Gilbertson	Noble	Smith of Chickasaw
Brady	Gilmore	Oliver	Smith of Lucas
Brittain	Graham	Olson	Stock
Children	Hansen	Ontjes	Stookesberry
Colbert	Harrison	Orr	Storey
Cole	Hattendorf	Parsons	Strippel
Criswell	Hempel	Patterson	Ulstad
Dewar	Himebauch	Peterson	Venard
Diltz	Huff	Potts	Vincent
Donhowe	King	Powers	Vincent
Dooley	Lake	Quirk	Wamstad
Edge	Leonard	Rassler	Wolfe
Edson	Lichty	Rewoldt	Wolfe
Elliott	Lieberknecht	Rhinehart	Yenter—79
Fackler	Long	Robson	
	McClune	Rumley	

The nays were:

Buffington	Garber of Adair	Letts	Weber
Carter	Gilbert	Lovrien	Wilson
Clark	Grimwood	Moen	Mr. Speaker—21
Doolittle	Hauge	Rankin	
Dotts	Henderson	Sampson	
Gallagher	Hollis	Scott of Fremont	

Absent or not voting:

Healy	Johnson	O'Donnell	Rust
Held	Knutson	Ramsey	Williams—8

So the amendment was adopted.

On motion of Gilbert of Marshall the report of the committee, as amended, was adopted.

#### INTRODUCTION OF BILLS

House File No. 284, by Harrison of Pottawattamie, a bill for an act to legalize an election held in the incorporated town of Oakland, Iowa, and the issuance and sale of bonds by said town pursuant thereto.

Read first and second times and referred to committee on judiciary.

## CONSIDERATION OF BILLS

House File No. 210, a bill for an act to amend, revise, and codify sections sixty-two hundred five (6205) and sixty-two hundred six (6206) of the compiled code of Iowa, relating to unfair discrimination, with report of committee recommending passage, was taken up for consideration.

Story of Warren moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Garber of Adair Gosman	Lieberknecht Long	Robson Rust
Blake	Gibson	Lovrien	Schirmer
Blume	Gilbert	McClune	Schulte
Bradley	Gilbertson	Mathews	Scott of Fremont
Brady	Gilmore	Matthiesen	Slemmons
Brittain	Graham	Napier	Smith of Chickasaw
Buffington	Grimwood	Natvig	Smith of Lucas
Carter	Hansen	Noble	Stock
Clark	Hattendorf	Oliver	Stockerberry
Colbert	Hauge	Olson	Storey
Cole	Healy	Ontjes	Strippel
Donhowe	Held	Parsons	Venard
Doolittle	Hempel	Patterson	Wamstad
Dotts	Henderson	Peterson	Weber
Edge	Himebauch	Potts	Wilson
Edson	Hollis	Powers	Yenter
Elliott	King	Quirk	Mr. Speaker—80
Fackler	Lake	Rankin	
Forsling	Letts	Rewoldt	
Gallagher	Lichty	Rhinehart	

The nays were:

Miller—1

Absent or not voting:

Aiken	Frahm	Moen	Saunders
Berry	Garber of Floyd	O'Donnell	Scott of
Children	Harrison	Orr	Appanoose
Criswell	Huff	Ramsey	Ulstad
Dewar	Johnson	Rassler	Vincent
Diltz	Knutson	Rumley	Williams
Dooley	Leonard	Sampson	Wolfe—27

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 61, a bill for an act to amend, revise, and codify chapter twenty-three (23) of title five (5) of the compiled code of Iowa, relating to gold and silver alloy, with report of committee recommending passage, was taken up for consideration.

Lake of Woodbury moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Frahm	Lovrien	Schirmer
Webster	Gallagher	Mathews	Schulte
Berry	Garber of Adair	Miller	Scott of Fremont
Blake	Gesman	Napier	Slemmons
Blume	Gibson	Natvig	Smith of
Bradley	Gilbert	Noble	Chickasaw
Brady	Gilbertson	O'Donnell	Smith of Lucas
Brittain	Gilmore	Oliver	Stock
Buffington	Grimwood	Olson	Stookesberry
Carter	Hauge	Ontjes	Storey
Clark	Healy	Parsons	Strippel
Colbert	Held	Patterson	Vincent
Cole	Hempel	Peterson	Wamstad
Donhowe	Henderson	Powers	Weber
Dotts	Himebauch	Quirk	Wilson
Edge	King	Ramsey	Yenter
Edson	Lake	Rewoldt	Mr. Speaker—75
Elliott	Letts	Rhinehart	
Fackler	Lieberknecht	Robson	
Forsling	Long	Rust	

The nays were, none.

Absent or not voting:

Aiken	Hansen	McClune	Saunders
Children	Harrison	Matthiesen	Scott of
Criswell	Hattendorf	Moen	Appanoose
Dewar	Hollis	Orr	Ulstad
Diltz	Huff	Potts	Venard
Dooley	Johnson	Rankin	Williams
Doolittle	Knutson	Rassler	Wolfe—33
Garber of Floyd	Leonard	Rumley	
Graham	Lichty	Sampson	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

On motion of Oliver of Monona the House adjourned until 10 a. m. Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 6, 1923.

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

Prayer was offered by the Rev. J. Walton Kempe, pastor of the Grand View Lutheran church, Des Moines, Iowa.

Journal of December 5th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Leonard of Taylor for the forenoon on request of Napier of Ringgold; Moen of Lyon until Saturday on request of Smith of Chickasaw.

## PETITIONS

Carter of Hardin presented resolutions from Camps Nos. 1620, 1912, 2446, and 6788, Royal Neighbors of America, protesting against any fraternal insurance legislation.

Referred to committee on insurance.

Carter of Hardin presented resolution from Camp No. 394, M. W. A., Eldora, protesting against any fraternal insurance legislation.

Referred to committee on insurance.

Carter of Hardin presented a resolution from Lodge No. 617, A. F. and A. M., urging the passage of a law making the reading of the Bible in public schools compulsory.

Referred to committee on schools and textbooks.

Wilson of Tama presented resolutions from Camps Nos. 1593, 859, and 491, Royal Neighbors of America, protesting against any fraternal legislation.

Referred to committee on insurance.

## REPORT OF COMMITTEE ON MILEAGE

Donhowe of Story, from the committee on mileage, submitted the following report:

MR. SPEAKER: Your committee appointed to fix the amount of mileage due each member, begs leave to submit the following report:

Name	Miles	Amount
John H. Aiken.....	144	\$14.40
C. E. Anderson.....	65	6.50
J. H. Anderson.....	166	16.60
H. S. Berry.....	70	7.00
W. B. Blake.....	208	20.80
Theo. C. Blume.....	128	12.80
A. V. Brady.....	207	20.70
John Bradley.....	73	7.30
David Brittain.....	40	4.00
C. R. Buffington.....	169	16.90
L. V. Carter.....	90	9.00
Wm. C. Children.....	141	14.10
C. F. Clark.....	142	14.20
W. J. Colbert.....	95	9.50
E. J. Cole.....	155	15.50
W. S. Criswell.....	35	3.50
H. C. Dewar.....	164	16.40
Volney Diltz.....	.....	.....
H. N. Donhowe.....	48	4.80
W. J. Dooley.....	114	11.40
Clyde H. Doolittle.....	172	17.20
A. G. Dotts.....	75	7.50
George W. Edge.....	39	3.90
W. C. Edson.....	135	13.50
Frank W. Elliott.....	175	17.50
S. E. Fackler.....	103	10.30
L. B. Forsling.....	216	21.60
Henry Frahm.....	93	9.30
J. P. Gallagher.....	100	10.00
R. O. Garber.....	60	6.00
J. S. Garber.....	156	15.60
N. J. Gesman.....	48	4.80
D. M. Gibson.....	56	5.60
F. B. Gilbert.....	55	5.50
O. Gilbertson.....	226	22.60
William Gilmore.....	179	17.90
S. L. Graham.....	97	9.70
E. A. Grimwood.....	184	18.40
John T. Hansen.....	183	18.30
E. P. Harrison.....	113	11.30
H. C. Hattendorf.....	187	18.70
A. O. Hauge.....	.....	.....
E. P. Healy.....	155	15.50
G. E. Held.....	228	22.80
J. G. Hempel.....	320	32.00
M. L. Henderson.....	51	5.10
Fred Himebauch.....	185	18.50
C. A. Hollis.....	115	11.50
Charles W. Huff.....	131	13.10
Francis Johnson.....	180	18.00
James A. King.....	180	18.00
C. A. Knutson.....	149	14.90
Frank C. Lake.....	210	21.00
Arthur Leonard.....	110	11.00
C. F. Letts.....	124	12.40
E. M. Lichty.....	108	10.80

Name	Miles	Amount
Ernst Lieberknecht.....	169	16.90
Wm. L. Long.....	117	11.70
Fred C. Lovrien.....	110	11.00
H. A. Mathews.....	153	15.30
E. C. Matthiesen.....	225	22.50
J. C. McClune.....	64	6.40
Geo. E. Miller.....	120	12.00
T. E. Moen.....	230	23.00
T. W. Napier.....	123	12.30
Ole Natvig.....	215	21.50
A. C. Noble.....	170	17.00
T. J. O'Donnell.....	206	20.60
C. G. Oliver.....	186	18.60
John Olson.....	199	19.90
O. A. Ontjes.....	106	10.60
John Orr.....	89	8.90
Thomas Parsons.....	99	9.90
Geo. W. Patterson.....	129	12.90
Nels Peterson.....	128	12.80
George W. Potts.....	218	21.80
T. E. Powers.....	140	14.00
L. T. Quirk.....	140	14.00
J. M. Ramsey.....	142	14.20
John M. Rankin.....	225	22.50
A. G. Rassler.....	97	9.70
Fred Rewoldt, Jr.....	140	14.00
Chas. Rhinehart.....	22	2.20
Paul N. Robson.....	80	8.00
Ralph Rumley.....	80	8.00
H. A. Rust.....	103	10.30
F. C. Sampson.....	107	10.70
W. E. G. Saunders.....	142	14.20
W. F. Schirmer.....	229	22.90
H. H. Schulte.....	130	13.00
C. H. Scott.....	100	10.00
W. C. Scott.....	167	16.70
Geo. F. Slemmons.....	141	14.10
C. D. Smith.....	65	6.50
Ward B. Smith.....	150	15.00
T. B. Stock.....	340	34.00
Arthur Stookesberry.....	115	11.50
John A. Storey.....	22	2.20
Warner Strippel.....	135	13.50
Oscar Ulstad.....	99	9.90
G. L. Venard.....	232	23.20
Earl W. Vincent.....	60	6.00
Brede Wamstad.....	172	17.20
John H. Weber.....	266	26.60
Alfred Williams.....	126	12.60
W. W. Wilson.....	104	10.40
Thomas L. Wolfe.....	158	15.80
Ray A. Yenter.....	121	12.10

All of which is respectfully submitted.

H. N. DONHOWE, *Chairman*,  
 ERNST LIEBERKNECHT,  
 C. F. LETTS.

Passed on file.

## REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 10, a bill for an act to amend, revise, and codify chapter six (6) of title two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general, beg leave to report they have had 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. F. CLARK, *Chairman.*

Report 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:

Resolution relating to the furnishing to the Fortieth General Assembly of copies of the Supplement to the Code, 1923, and the session laws of the Fortieth General Assembly.

L. W. AINSWORTH, *Secretary.*

## SENATE CONCURRENT RESOLUTION CONSIDERED

*Be It Resolved by the Senate, the House concurring,* That the Secretary of State be requested to furnish to each member of the special session of the Fortieth General Assembly, including the Lieutenant Governor and the Speaker of the House of Representatives, the Secretary of the Senate and Chief Clerk of the House, and to each member of the press, one copy of the supplement to the code, 1923, code of 1897, and one copy of the session laws of the Fortieth General Assembly.

By unanimous consent the resolution was taken up for immediate consideration.

Hauge of Polk offered the following amendment and moved its adoption:

Amend Senate concurrent resolution by striking from the line seven (7) thereof the words and figures "code of 1897".

Amendment adopted.

On motion of Hauge of Polk the House concurred in the Senate concurrent resolution, as amended.

## MOTIONS TO RECONSIDER FILED

The following motions to reconsider were filed:—

I move to reconsider the vote by which the House adopted the report of the committee on code revision relative to the introduction and consideration of bills.

FRED S. HIMEBAUCH,

I second the motion.

R. L. RUMLEY.

I move to reconsider the vote by which the House adopted the amendment offered by Forsling of Woodbury to the report of the committee on code revision, relative to the introduction and consideration of bills.

FRED S. HIMEBAUCH,

I second the motion.

R. L. RUMLEY.

## PROOF OF PUBLICATION OF HOUSE FILE NO. 284

The official proof of publication of House File No. 284, a bill for an act to legalize an election held in the incorporated town of Oakland, Iowa, and the issuance and sale of bonds by said town pursuant thereto, was duly filed with the Chief Clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## RESIGNATION OF COMMITTEE CLERK

I hereby tender my resignation as committee clerk of the House, same to be effective as of December 6th.

RUTH COXE.

## APPOINTMENT OF COMMITTEE CLERK

Upon the recommendation of the committee on retrenchment and reform, the chief clerk announced the appointment of the following additional employee of the House.

Lucile Oblinger, committee clerk, to fill the vacancy caused by the resignation of Ruth Coxe, said appointment to be effective as of December 6th.

The above named employee took and subscribed to the required oath.

On motion of Healy of Hancock the House adjourned until 10:00 a. m. Friday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 7, 1923.

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

Prayer was offered by the Rev. C. William Bast, pastor of the First Congregational church, Perry, Iowa.

Journal of December 6th corrected and approved.

## PETITIONS

Parsons of Calhoun presented resolutions from Camps Nos. 325, 4464 and 5582, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Stock of Allamakee presented resolutions from Camps Nos. 1521, 2403, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Gesman of Marion presented resolution from Camp No. 8353, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Gesman of Marion presented a petition from the Marion county farm bureau requesting that the work of the special session be restricted to code revision. Referred to committee on code revision.

Garber of Floyd presented resolutions from Camps Nos. 3875, 3815, 2402, and 297, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Strippel of Benton presented resolutions from Camps Nos. 1655 and 8289, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Hempel of Clayton presented resolutions from Camps Nos. 5702, 973, 232, and 1809, Royal Neighbors of America; Camp No. 3004, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Dooley of Van Buren presented resolutions from Camps Nos. 1999 and 5909, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Patterson of Kossuth presented resolutions from Camps Nos. 1551, 2119, and 2601, Royal Neighbors of America, and Camp No. 2545, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Napier of Ringgold presented resolutions from Camps Nos. 8484, 1061, and 1526, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Peterson of Henry presented resolutions from Camp No. 625, M. W. A., and Camp No. 3821, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Wolfe of Linn presented a resolution from Camp No. 3346, M. W. A., Springville, protesting against any fraternal insurance legislation. Referred to committee on insurance.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Colbert of Union until Monday on request of Napier of Ringgold; Clark of Linn until Monday on request of Doolittle of Delaware.

#### REPORTS OF COMMITTEES

Forsling 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. 148, a bill for an act to amend, revise, and codify chapter twenty (20) of title twelve (12) of the compiled code of Iowa, relating to changing names of 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 do pass.

L. B. FORSLING, *Chairman.*

Report adopted.

Edson of Buena Vista, 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. 122, a bill for an act to amend, revise, and codify chapter eight (8) of title eleven (11) of the compiled code of Iowa, relating to the patrolling 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 do pass.

W. C. Edson, *Chairman.*

Report adopted.

#### INTRODUCTION OF BILLS

House File No. 285, by Children of Pottawattamie, a bill for an act to legalize an election held in the independent school district of Council Bluffs, in the county of Pottawattamie, state of Iowa, and the issuance and sale of bonds by said school district pursuant thereto.

Read first and second times and referred to committee on judiciary.

#### REPORT OF COMMITTEE ON MILEAGE CONSIDERED

Donhowe of Story called up the report of the committee on mileage, found on pages 72 and 73 of the Journal of December 6th, and moved its adoption.

Motion prevailed and the report was adopted.

#### CONCURRENT RESOLUTIONS

Harrison of Pottawattamie offered the following concurrent resolution:

##### CONCURRENT RESOLUTION NO. 1

*Be It Resolved by the House, the Senate concurring,* That the secretary of the Senate and the chief clerk of the House are hereby instructed to prepare and have printed in pamphlet form a book similar to that showing the list of committees of the Fortieth General Assembly and other information contained therein corrected for use in the special session; such pamphlet to be approximately three by five and a half inches in size; six hundred copies thereof to be for the use of the Senate and nine hundred for the use of the House.

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Harrison moved its adoption.

Motion prevailed and the resolution was adopted.

Doolittle of Delaware offered the following concurrent resolution:

CONCURRENT RESOLUTION NO. 2

*Be It Resolved by the House, the Senate concurring,* That the secretary of the Senate and the chief clerk of the House, be and they are hereby directed to omit from the enrollment of such bills designated as code commissioners' bills, when passed by the General Assembly, all foot notes, briefs, general explanations, parenthetical references, and explanatory notes which form no part of said bills.

Unanimous consent having been obtained for the immediate consideration of the resolution, Mr. Doolittle moved its adoption.

Motion prevailed and the resolution was adopted.

INTRODUCTION OF JOINT RESOLUTION

House Joint Resolution No. 1, by committee on retrenchment and reform:

Joint resolution fixing the compensation of the officers and employees of the special session of the Fortieth General Assembly.

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

SECTION 1. That pursuant to the provisions of chapter one (1), acts of the Thirty-eighth General Assembly, it is provided that the compensation of all officers and employees of the special session of the Fortieth General Assembly, shall be at the same rate for corresponding services as paid during the regular session of the Fortieth General Assembly, except that of the assistant secretary of the Senate and the assistant chief clerk of the House which shall be fixed at the sum of \$8.00 per diem.

SECTION 2. That this act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Read first and second times.

Hauge of Polk asked unanimous consent to consider the joint resolution at this time.

Objection was made by McClune of Mahaska.

Hauge of Polk moved that the rule prohibiting the second and third readings of a joint resolution on the same day be suspended and that the resolution be considered at this time.

A division of the House was asked for.

The motion having failed to receive a two-thirds majority was lost and the joint resolution was ordered passed on file.

## REPORT OF COMMITTEE ON COMMITTEE ROOMS

Saunders of Palo Alto, from the committee on committee rooms, submitted the following report:

MR. SPEAKER: Your committee on assignment of committee rooms, beg leave to report the following recommendations as to the assignment of committee rooms and time of meeting of the standing committees:

That the committees be given the same assignment of rooms and time of meeting as for the regular session of the Fortieth General Assembly found on page one hundred eighty (180) of the Journal of the House, with the exception of the committees assigned to rooms twelve (12) and thirteen (13). These committees are assigned as follows:

Pharmacy .....	Speaker's Room	Wed. 1:30
Land Titles .....	Speaker's Room	Wed. 3:00

Departmental affairs all times when not otherwise assigned.

Commerce and Trade.....	Room 10	Thurs. 1:30
Claims .....	Room 10	Fri. 3:00
Private Corporations .....	Room 15	Fri. 3:00
Military .....	Room 15	Fri. 1:30

The following changes are also recommended:

Appropriations .....	Room 15	Tues. 4:00	Thurs. 1:30	
Municipal Corporations ...	Room 1	Tues. 3:00	Thurs. 1:30	Sat. 1:30
Motor Vehicles .....	Room 1	Tues. 1:30	Sat. 3:00	

Respectfully submitted,

WM. E. G. SAUNDERS, *Chairman.*  
W. C. CHILDREN.  
FRANCIS JOHNSON.

Passed on file.

## INTRODUCTION OF JOINT RESOLUTION

House Joint Resolution No. 2, by committee on retrenchment and reform:

Joint Resolution relating to the selection of additional employees of the special session of the Fortieth General Assembly of the State of Iowa, fixing their compensation and defining their duties.

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

SECTION 1. That the action of the retrenchment and reform committee under authority conferred upon it by concurrent resolution of the Fortieth General Assembly in selecting the following extra help required by the work of the special session of the Fortieth General Assembly, be and the same is hereby approved and the state auditor is, upon pay roll duly approved, authorized and instructed to pay them at the rates and for such services actually rendered during the period hereafter limited.

## Under the custodian:

1. As janitors at a compensation of \$100.00 per month dating from the convening of the special session and for the period covered by the special session: Samuel Blackburn, Stuart McMullen, Jake Tobis, Chas. S. Harris, W. F. Wiley, B. F. Schreves, Otha Blue, Wilder J. Moore.
2. As elevator tenders—Hazel Anderson and George Stirts, at a compensation of \$100.00 per month, dating from the convening of the special session and continuing during the session.
3. As assistant state house postmaster—Frank Blagburn, at a compensation of \$3.00 per day, dating from the convening of and continuing during the special session.
4. As assistant matron—Mrs. Ella Johnson, at a compensation of \$3.00 per day, dating from the convening of and continuing during the special session.
5. As extra fireman—Phillip Jones, at a compensation of \$125.00 per month, dating from the convening of and continuing during the special session.

## In the state law library:

6. One research assistant—R. F. Forest, at a compensation of \$4.00 per day, dating from the convening of and continuing during the special session.
7. One stenographer, Mary Kornis, at a compensation of \$4.00 per day, dating from the convening of and continuing during the special session.
8. One page, Fred Maurer, at a compensation of \$2.00 per day, dating from the convening of and continuing during the special session.

Read first and second times 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. 285, a bill for an act, relating to the payment of compensation and mileage of members of the General Assembly.

Also, that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Concurrent resolution for the consecutive numbering of concurrent resolutions.

L. W. AINSWORTH, *Secretary*.

## SENATE MESSAGES CONSIDERED

By unanimous consent the Senate concurrent resolution providing for the consecutive numbering of resolutions was taken up for consideration.

## SENATE CONCURRENT RESOLUTION NO. 3

*Be It Resolved by the Senate, the House concurring,* That all concurrent resolutions be numbered consecutively in the order in which they are introduced.

Noble of Muscatine moved that the House concur in the Senate concurrent resolution. Motion prevailed.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Rust of Franklin until Monday on request of Edson of Buena Vista.

## PROOF OF PUBLICATION OF HOUSE FILE NO. 285

The official proof of publication of House File No. 285, a bill for an act to legalize an election held in the Independent School District of Council Bluffs, in the county of Pottawattamie, state of Iowa, and the issuance and sale of bonds by said school district pursuant thereto, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## CONSIDERATION OF BILLS

Senate File No. 285, a bill for an act to amend the law as it appears in section nineteen of the compiled code relating to the payment of compensation and mileage of members of the general assembly, was taken up for consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third readings of a bill on the same day, Rankin of Lee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Criswell Dewar	Garber of Adair Gesman	Henderson Himebauch
Berry	Donhowe	Gilbert	Hollis
Blake	Dooley	Gilbertson	Huff
Blume	Doolittle	Gilmore	Johnson
Bradley	Elliott	Hansen	King
Brady	Fackler	Healy	Letts
Brittain	Frahm	Held	Lichty
Buffington	Gallagher	Hempel	Lieberknecht
Carter	Dotts	Harrison	Long
Children	Edge	Hattendorf	McClune
Cole	Edson	Hauge	Mathews

Matthiesen	Patterson	Rumley	Smith of Lucas
Miller	Peterson	Saunders	Stock
Napier	Potts	Schirmer	Stookesberry
Natvig	Powers	Schulte	Storey
Noble	Quirk	Scott of	Strippel
O'Donnell	Rankin	Appanoose	Ulstad
Oliver	Rassler	Scott of Fremont	Weber
Ontjes	Rewoldt	Slemmons	Wilson
Orr	Rhinehart	Smith of	Yenter
Parsons	Robson	Chickasaw	Mr. Speaker—85

The nays were, none.

Absent or not voting:

Aiken	Gibson	Lovrien	Venard
Clark	Graham	Moen	Vincent
Colbert	Grimwood	Olson	Wamstad
Diltz	Knutson	Ramsey	Williams
Forsling	Lake	Rust	Wolfe—23
Garber of Floyd	Leonard	Sampson	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 10, a bill for an act to amend, revise, and codify chapter six (6) of title two (2) of the compiled code of Iowa, and of the supplement to said code, relating to the department of justice and the attorney general, with report of committee recommending passage, was taken up for consideration.

Rankin of Lee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Edson	Henderson	Oliver
Webster	Elliott	Himebauch	Ontjes
Berry	Fackler	Hollis	Orr
Blake	Frahm	Huff	Parsons
Blume	Gallagher	Johnson	Patterson
Bradley	Garber of Adair	King	Peterson
Brady	Garber of Floyd	Letts	Potts
Brittain	Gesman	Lichty	Powers
Buffington	Gibson	Lieberknecht	Quirk
Carter	Gilbert	Long	Ramsey
Children	Gilbertson	Lovrien	Rankin
Cole	Gilmore	McClune	Rassler
Dewar	Grimwood	Mathews	Rewoldt
Diltz	Harrison	Matthiesen	Rhinehart
Donhowe	Hattendorf	Miller	Robson
Dooley	Hauge	Napier	Rumley
Doolittle	Healy	Natvig	Saunders
Dotts	Held	Noble	Schirmer
Edge	Hempel	O'Donnell	Schulte

Scott of Appanoose	Smith of Chickasaw	Strippel Ulstad	Wilson Yenter
Scott of Fremont	Stock	Venard	Mr. Speaker—91
Slemmons	Stookesberry	Wamstad	
Smith of Lucas	Storey	Weber	

The nays were, none.

Absent or not voting:

Aiken	Graham	Moen	Williams
Clark	Hansen	Olson	Wolfe—17
Colbert	Knutson	Rust	
Criswell	Lake	Sampson	
Forsling	Leonard	Vincent	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

On motion of Orr of Keokuk the House adjourned until 10 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 8, 1923.

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

Prayer was offered by the Rev. Louis E. Watson, pastor of Wesley Methodist Episcopal church, Des Moines, Iowa.

Journal of December 7th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Garber of Adair until Monday, on request of Hauge of Polk; Rankin of Lee until Monday, on request of Mathews of Des Moines; Donhowe of Story until Monday, on request of Bradley of Poweshiek; Saunders of Palo Alto until Monday, on request of Peterson of Henry; Vincent of Guthrie until Monday, on request of Elliott of Scott; Hollis of Black Hawk until Monday, on request of Lichty of Black Hawk; Criswell of Boone until Monday, on request of Hansen of Scott; Robson of Greene until Monday, on request of Mathews of Des Moines; Frahm of Carroll until Monday, on request of Blume of Crawford; Harrison of Pottawattamie until Monday, on request of Children of Pottawattamie; Gilbert of Marshall until Monday, on request of Rumley of Decatur.

## PETITIONS

Rhinehart of Dallas presented resolutions from Camps Nos. 2257, 4045, 5941, and 6287, Royal Neighbors of America, protesting against any fraternal legislation. Referred to committee on insurance.

Dewar of Cherokee presented resolutions from Camps Nos. 1134, 7344 and 9385, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Schirmer of Jackson presented resolutions from Camps Nos. 5737 and 6901, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Natvig of Howard presented resolutions from Camps Nos. 4623,

782 and 1097, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Stookesberry of Davis presented a resolution from the city council of Bloomfield urging a more equitable distribution of the primary road fund. Referred to committee on roads and highways.

Noble of Muscatine presented resolutions from Camps Nos. 1068, 2056, 4839, 8357 and 142, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Ontjes of Grundy presented resolutions from Camp No. 5916, Royal Neighbors of America, and Camp No. 8692, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Miller of Shelby presented resolutions from Camp No. 857, Royal Neighbors of America, and Camp No. 1501, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Letts of Washington presented resolutions from Camp No. 2372, Royal Neighbors of America, and Camp No. 868, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Rewoldt of Bremer presented resolutions from Camps Nos. 2908, 2440 and 3109, M. W. A., and Camps Nos. 2052, 450 and 1954, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Cole of Harrison presented resolutions from Camp No. 325, M. W. A., and Camp No. 1675, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Smith of Chickasaw presented resolutions from Camps Nos. 1429, 4854 and 4903, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Quirk of Sac presented a petition from members of Camp No. 2923, Royal Neighbors of America, opposing any fraternal insurance legislation. Referred to committee on insurance.

## REPORTS OF COMMITTEES

Doolittle of Delaware, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 58, a bill for an act to amend, revise and codify sections twelve hundred fourteen (1214), twelve hundred seventeen (1217), twelve hundred eighteen (1218), twelve hundred nineteen (1219), twelve hundred twenty-two (1222) and twelve hundred twenty-six (1226) of the compiled code of Iowa relating to the practice of professional engineering and land surveying, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

CLYDE H. DOOLITTLE, *Acting Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 75, a bill for an act to amend, revise and codify chapter two (2) of title twenty-two (22) of the compiled code of Iowa relating to chattel mortgages and conditional sales of personal property and sales of stocks of merchandise in bulk, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section three by striking therefrom all of lines 7, 8 and 9, and inserting in lieu thereof the following: "where the holder of the property resides, but if the holder be a nonresident of the state, then such instruments shall be filed with the recorder of the county where the property is situated."

Also amend section eight by adding after the word "of" in line 7 thereof, the word "each", and by adding the words "or vendor" after the word "mortgagor."

Also amend section eight by adding after the word "of" in line 8 thereof, the word "each", and by adding the words "or vendee" after the word "mortgagee."

Also amend section thirteen by striking from line 3 thereof the words "or actions".

Also amend section seventeen by striking from lines 3 and 4 thereof the words "mortgage, bill of sale, extension agreement, release of mortgage or other".

Also amend section eighteen by striking from line 7 thereof the words "in the manner required by this chapter" and substituting in lieu thereof the words "as a chattel mortgage".

CLYDE H. DOOLITTLE, *Acting Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 215, a bill for an act to amend, revise, and codify section sixty-six hundred thirty (6630) of the compiled code of Iowa, and section sixty-six hundred twenty-nine (6629) of the supplement to said code, relating to divorce and the remarriage of divorced 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 amended as follows, and when so amended the bill do pass:

Amend by striking all of section one (1) and inserting in lieu thereof the following:

"Section 1. Forfeiture of rights—remarriage prohibited. When a divorce is decreed the guilty party forfeits all rights acquired by marriage. In every case in which a divorce is decreed, neither party shall marry again within a year from the date of the filing of said decree unless permission to do so is granted by the court in such decree."

Also, amend by striking out all of section four (4) and renumbering sections five (5) and six (6) as four (4) and five (5), respectively.

Clyde H. Doolittle, Acting Chairman.

Report adopted.

#### CONSIDERATION OF BILLS

House File No. 148, a bill for an act to amend, revise, and codify chapter twenty (20) of title twelve (12) of the compiled code of Iowa, relating to changing names of villages, with report of committee recommending passage, was taken up for consideration.

Edson of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Doolittle	Healy	McClune
Anderson of	Dotts	Held	Mathews
Webster	Edson	Hempel	Matthlesen
Blake	Elliott	Henderson	Miller
Blume	Fackler	Himebauch	Moen
Bradley	Forsling	Huff	Napier
Brady	Garber of Floyd	Johnson	Natvig
Brittain	Gesnan	King	Noble
Buffington	Gibson	Kuntson	O'Donnell
Carter	Gilbertson	Leonard	Oliver
Children	Graham	Letts	Ontjes
Cole	Grimwood	Lichty	Orr
Dewar	Hansen	Lieberknecht	Parsons
Diltz	Hattendorf	Long	Patterson
Dooley	Hauge	Lovrien	Peterson

Potts	Sampson	Smith of	Wamstad
Powers	Schirmer	Chickasaw	Weber
Quirk	Schulte	Smith of Lucas	Williams
Rassler	Scott of	Stock	Wilson
Rewoldt	Appanoose	Stookesberry	Wolfe
Rhinehart	Scott of Fremont	Strippel	Yenter
Rumley	Slemmons	Venard	Mr. Speaker—85

The nays were:

Gallagher—1

Absent or not voting:

Berry	Frahm	Lake	Saunders
Clark	Garber of Adair	Olson	Storey
Colbert	Gilbert	Ramsey	Ulstad
Criswell	Gilmore	Rankin	Vincent—22
Donhowe	Harrison	Robson	
Edge	Hollis	Rust	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 122, a bill for an act to amend, revise, and codify chapter eight (8) of title eleven (11) of the compiled code of Iowa, relating to the patrolling of public highways, with report of committee recommending passage, was taken up for consideration.

Himebauch of Emmet moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gesman	McClune	Schirmer
Webster	Gibson	Mathews	Schulte
Blake	Gilbertson	Matthiesen	Scott of
Blume	Graham	Miller	Appanoose
Bradley	Grimwood	Moen	Scott of Fremont
Brady	Hansen	Napier	Slemmons
Brittain	Hattendorf	Natvig	Smith of
Buffington	Hauge	Noble	Chickasaw
Carter	Healy	O'Donnell	Smith of Lucas
Children	Held	Oliver	Stock
Cole	Hempel	Ontjes	Stookesberry
Dewar	Henderson	Orr	Strippel
Diltz	Himebauch	Parsons	Venard
Dooley	Huff	Patterson	Wamstad
Doolittle	Johnson	Peterson	Weber
Dotts	King	Potts	Williams
Edge	Knutson	Powers	Wilson
Edson	Leonard	Quirk	Wolfe
Elliott	Letts	Rassler	Yenter
Fackler	Lichty	Rewoldt	Mr. Speaker—86
Forsling	Lieberknecht	Rhinehart	
Gallagher	Long	Rumley	
Garber of Floyd	Lovrien	Sampson	

The nays were, none.

Absent or not voting:

Aiken	Frahm	Lake	Saunders
Berry	Garber of Adair	Olson	Storey
Clark	Gilbert	Ramsey	Ulstad
Colbert	Gilmore	Rankin	Vincent—22
Criswell	Harrison	Robson	
Donhowe	Hollis	Rust	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HONORABLE E. R. ZELLER ADDRESSES HOUSE

Brittain of Madison moved that an invitation be extended to the Honorable E. R. Zeller of Madison county, a former member of this House, to address the House.

Motion prevailed and Mr. Zeller was escorted to the Speaker's station and briefly addressed the House.

#### AMENDMENT FILED

McClune of Mahaska filed the following amendment to House Joint Resolution No. 1:

Amend House Joint Resolution No. one (1) by committee on retrenchment and reform, by inserting a period (.) after the word "assembly" in line six (6) of section one (1) and striking out all of the remainder of said section.

#### APPOINTMENT OF SUBSTITUTE ASSISTANT POSTMISTRESS

The chief clerk announced that the appointment of Miss Zeta Hayes as substitute for the assistant postmistress incapacitated on account of serious illness.

Miss Hayes took and subscribed to the required oath.

On motion of Scott of Appanoose the House adjourned until 10 a. m. Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVE,  
DES MOINES, IOWA, DECEMBER 10, 1923.

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

Prayer was offered by the Rev. Edward Duea, pastor of the Lutheran church, Slater, Iowa.

Journal of December 8th corrected and approved.

## PETITIONS

Edge of Jasper presented a resolution from Camp No. 2196, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Moen of Lyon presented a resolution from Camp No. 6358, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Himebauch of Emmet presented a resolution from Camp No. 1402, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Matthiesen of Clinton presented resolutions from Camps Nos. 695, 501 and 2829, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Mathews of Des Moines presented a resolution from Camp No. 2368, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Held of Plymouth presented a resolution from Camp No. 6658, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Wamstad of Mitchell presented resolutions from Camp No. 1231, Royal Neighbors of America, and Camp No. 250, M. W. A., protest-

ing against any fraternal insurance legislation. Referred to committee on insurance.

Clark of Linn presented resolutions from Camps Nos. 1782 and 1799, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

#### REPORTS OF COMMITTEES

Forsling 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. 176, a bill for an act to amend, revise, and codify sections four thousand twenty-three (4023), four thousand twenty-four (4024), four thousand twenty-seven (4027), four thousand nine hundred sixty-nine (4969), four thousand nine hundred seventy (4970), three thousand seven hundred twenty-five (3725), three thousand seven hundred thirty-six (3736), three thousand seven hundred fifty-three (3753), three thousand seven hundred fifty-four (3754) and three thousand seven hundred seventy-five (3775) of the compiled code of Iowa, relating to municipal 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, and when so amended the bill do pass:

By striking from line 15 of section 1, the words "sewer outlets" and inserting in lieu thereof the word "sewers".

L. B. FORSLING. *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on municipal corporations to whom was referred House File No. 164, a bill for an act to amend, revise, and codify sections three thousand seven hundred forty-five (3745) to three thousand seven hundred forty-eight (3748), inclusive, of the compiled code of Iowa, and section three thousand seven hundred forty (3740) of the supplement to said code, relating to municipal 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 do pass.

L. B. FORSLING. *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on municipal corporations to whom was referred House File No. 166, a bill for an act to amend, revise, and codify section three thousand seven hundred seventy-seven (3777) of the compiled code of Iowa, relating to municipal 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, and when so amended the bill do pass:

By adding thereto the following:

"That section three thousand seven hundred seventy-one (3771) of the compiled code of Iowa is amended, revised, and codified to read as follows:

"Section 2. Cities may by ordinance provide for the election at a general, city or special election of three hospital trustees, whose terms of office shall be six years; but at the first election, three shall be elected and hold their office, respectively, for two, four and six years, and who shall by lot determine their respective terms."

Also amend by striking all of the title and inserting in lieu thereof the following:

A bill for an act to amend, revise, and codify sections three thousand seven hundred seventy-seven (3777) and three thousand seven hundred seventy-one (3771) of the compiled code of Iowa, relating to municipal corporations.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on municipal corporations to whom was referred House File No. 258, a bill for an act to amend, revise, and codify sections forty-two hundred nineteen (4219), forty-two hundred nineteen-a one (4219-a1), and forty-two hundred twenty-four (4224) of the supplement to the compiled code of Iowa, relating to the nomination and election of officers, employees and assistants in cities acting under the commission form of government, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

By striking from line 3 of section 5 the word "said" and inserting in lieu thereof the word "city".

Also by striking from line 2 of section 9 the word "said".

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on municipal corporations to whom was referred House File No. 180, a bill for an act to amend, revise, and codify sections four thousand seventy-one (4071), four thousand seventy-two (4072) and four thousand seventy-three (4073) of the compiled code of Iowa, relating to municipal 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, and when so amended the bill do pass:

By striking from line 2 of section 4, the words "an opinion from a reputable attorney" and inserting in lieu thereof "a certified statement of the county recorder".

By striking from lines 1 and 2 of section 7, the following: "the attorney's opinion" and inserting in lieu thereof "the certificate of the county recorder".

By striking the first 3 lines, and the first word of the 4th line from section 6, and inserting in lieu thereof the following:

"The proprietor shall then execute, and file with the recorder, a bond in double the amount of the encumbrance, the matter of sureties to be determined and approved by the recorder and clerk of the district court. If the surety is other than a surety company authorized to do business in Iowa, the surety shall be a resident of the state, worth double the sum of the bond, beyond the amount of his debts, and owner of real estate liable to execution in the state equal to double the amount of the bond. Two or more sureties may in the aggregate qualify as provided in this section."

By inserting before the word "shall" in line 3 of section 7, the following: "together with the certificate of approval of the city or town council."

L. B. FORSLING, *Chairman.*

Report adopted.

Edson of Buena Vista, 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. 128, a bill for an act to amend, revise and codify sections three thousand thirty-five (3035) to three thousand thirty-seven (3037), inclusive, and three thousand forty (3040) of the compiled code of Iowa, relating to the use 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 amended as follows, and when so amended the bill do pass:

By striking out of line 3, section 2, the words "county or".

Also by changing the comma following the word "highway" to a period in line 3 of section 3; and by striking out the following in lines 3, 4 and 5 of section 3: "and the location of the same shall be changed, on reasonable notice, when such change shall be necessary in the improvement of the highway."

Also by adding after the word "repair" in line 8 of section 3, the words: "the location of such mains or pipes shall be changed on reasonable notice, when such change shall be necessary in the improvement or maintenance of the highway".

By adding after the word "stream" in line 8 of section 1 the following: "or that the grade of the road over the cattleway shall not exceed one foot in ten feet".

W. C. EDSON, *Chairman.*

Report adopted.

#### REPORT OF COMMITTEE ON RULES

Ontjes of Grundy, from the committee on rules, submitted the following report:

**MR. SPEAKER:** Your committee on rules moves to strike out rule 74, and insert in lieu thereof the following:

**RULE 74**

**HOUSE CALENDAR**

Bills reported out for passage, for amendment and passage, or without recommendation by the committee shall not be acted upon until at least one day after the printed Journal containing said report has been placed upon the desks of the members of the House.

**O. A. ONTJES, Chairman.**

Passed on file.

**REPORT OF JOINT COMMITTEE ON RULES**

Ontjes of Grundy, from the joint committee on rules, submitted the following report:

**MR. SPEAKER:** Your joint committee on rules recommends that the rules of the 40th General Assembly be adopted temporarily as rules for the special session as far as applicable.

**O. A. ONTJES, Chairman of House Committee.**

**M. L. BOWMAN, Chairman of Senate Committee.**

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 concurred in House concurrent resolution No. 1, in which the concurrence of the Senate was asked:

Resolution providing for printing of committee books.

Also, that the Senate has concurred in House concurrent resolution No. 2, in which the concurrence of the Senate was asked:

Resolution relating to the enrolling of bills designated as code commissioners' bills.

Also, that the Senate has concurred in House amendment to Senate concurrent resolution No. 1, in which the concurrence of the Senate was asked:

Resolution to furnish members of the General Assembly with codes and supplements.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 286, a bill for an act to legalize an election held in the independent school district of Council Bluffs, in the county of Pottawattamie, state of Iowa, and the issuance and sale of bonds by said school district pursuant thereto.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 284, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Council Bluffs, Iowa.

L. W. AINSWORTH, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 284, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Council Bluffs, Iowa.

Read first and second times and referred to committee on judiciary.

Senate File No. 286, a bill for an act to legalize an election held in the independent school district of Council Bluffs, in the county of Pottawattamie, state of Iowa, and the issuance and sale of bonds by said school district pursuant thereto.

Read first and second times and referred to committee on judiciary.

#### CONSIDERATION OF BILLS

House File No. 58, a bill for an act to amend, revise, and codify sections twelve hundred fourteen (1214), twelve hundred seventeen (1217), twelve hundred eighteen (1218), twelve hundred twenty-two (1222) and twelve hundred twenty-six (1226) of the compiled code of Iowa and section twelve hundred nineteen (1219) of the supplement to said code, relating to the practice of professional engineering and land surveying, with report of committee recommending passage, was taken up for consideration.

Lovrien of Humboldt moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Colbert	Edson	Gilbertson
Webster	Cole	Elliott	Gilmore
Berry	Criswell	Fackler	Graham
Blake	Dewar	Forsling	Grimwood
Blume	Diltz	Gallagher	Hansen
Bradley	Donhowe	Garber of Adair	Harrison
Brittain	Dooley	Garber of Floyd	Hattendorf
Buffington	Doolittle	Gesman	Hauge
Children	Dotts	Gibson	Healy
Clark	Edge	Gilbert	Held

Hempel	Matthiesen	Rassler	Slemmons
Henderson	Miller	Rewoldt	Smith of Lucas
Himebauch	Moen	Rhinehart	Stock
Huff	Napier	Robson	Stookesberry
Johnson	Natvig	Rumley	Storey
King	O'Donnell	Rust	Strippel
Knutson	Orr	Sampson	Ulstad
Lake	Parsons	Saunders	Venard
Leonard	Patterson	Schirmer	Vincent
Letts	Peterson	Schulte	Wamstad
Lichty	Potts	Scott of	Weber
Lieberknecht	Powers	Appanoose	Williams
Long	Quirk	Scott of Fremont	Wilson
Lovrien	Ramsey	Smith of	Wolfe
Mathews	Rankin	Chickasaw	Mr. Speaker—97

The nays were, none.

Absent or not voting:

Aiken	Frahm	Noble	Ontjes
Brady	Hollis	Oliver	Yenter—11
Carter	McClune	Olson	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### AMENDMENT FILED

Noble of Muscatine filed the following amendment to House File No. 180:

Amend House File No. 180 by adding thereto the following:

"That section forty hundred seventy-nine (4079) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 8. Plat by auditor. Whenever the original proprietor of any subdivision of land has sold or conveyed any part thereof, or invested the public with any rights therein, and has failed and neglected to execute and file for record a plat as provided in this chapter, the county auditor shall by mail or otherwise notify some or all of such owners, and demand its execution. If such owners, whether so notified or not, fail and neglect for thirty days after the issuance of such notice to execute and file said plat for record, the auditor shall cause one to be made, making any survey necessary therefor.

C. C. 4079, lines 1-9.

Sec. 9. Execution and filing—effect. Said plat shall be signed and acknowledged by the auditor, who shall certify that he executed it by reason of the failure of the owners named to do so, and file it for record in his office and in the office of the county recorder, and when so filed it shall have the same effect as if executed, acknowledged, and recorded by the owners.

C. C. 4079, lines 9-14.

Sec. 10. Costs and expenses. A correct statement of the costs and

expenses of such plat, survey, and record, verified by oath, shall be by the auditor laid before the board of supervisors, which shall allow the same.

C. C. 4079, lines 14-17.

Sec. 11. Assessment of costs. The auditor shall at the same time assess the amount pro rata upon the several subdivisions of said tract, lot or parcel so subdivided, and it shall be collected in the same manner as general taxes, and shall go to the general county fund; or said board may direct suit to be brought in the name of the county, to recover from the original proprietor such cost and expense.

C. C. 4079, lines 17-23.

Also amend the title, line 2, by striking out the word "and" and inserting in lieu a "comma (,)"

Also amend the title by inserting after the parenthetical term "(4073)" the words "and forty hundred seventy-nine (4079)".

On motion of Buffington of Mills the House adjourned until 10 a. m. Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 11, 1923.

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

Prayer was offered by the Rev. John F. Arnold, pastor of the Methodist Episcopal church, Guthrie Center, Iowa.

Journal of December 10th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Scott of Fremont for the forenoon, on request of Napier of Ringgold; Yenter of Johnson for the remainder of the week, on request of Vincent of Guthrie.

## PETITIONS

Healy of Hancock presented a resolution from Camp No. 767, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Gilbertson of Winneshiek presented resolutions from Camps Nos. 1708 and 4965, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Carter of Hardin presented a resolution from Camp No. 690, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Buffington of Mills presented a resolution from Camp No. 3017, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Olson of Clinton presented a resolution from Royal Neighbors of America at Lyons and Clinton, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Oliver of Monona presented resolutions from Camps Nos. 186 and 8177, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Johnson of Dickinson presented resolutions from Camps Nos. 1407, 1506 and 3922, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Henderson of Hamilton presented a resolution from Camp No. 1583, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Natvig of Howard presented resolutions from Camp No. 1344, M. W. A., and Camp No. 1101, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Elliott of Scott presented resolutions from Camps Nos. 3798 and 1292, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Ramsey of Butler presented resolutions from Camps Nos. 1578, 8933 and 4846, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Ramsey of Butler presented petitions from members of Valley King Camp 2419, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Donhowe of Story presented resolutions from Camps Nos. 1057, 8898, 9315 and 4014, Royal Neighbors of America, and Camps Nos. 2352, 1591 and 6295, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Rassler of Pocahontas presented resolutions from Camps Nos. 9305, 2161, 308 and 1256, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

#### REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

**MR. SPEAKER:** Your committee on judiciary to whom was referred House File No. 39, a bill for an act to amend, revise, and codify section seven hundred four (704) of the compiled code of Iowa, relating to the administration of oaths, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section one (1) by inserting after the word "superior" in line 7 thereof, the word ", police".

Amend section two (2) by inserting after the word "clerks" in line 10 thereof, the words "and assessors".

Amend section one (1) by striking out subdivision two (2) thereof and renumbering the remaining subdivisions.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

**MR. SPEAKER:** Your committee on judiciary to whom was referred House File No. 234, a bill for an act to amend, revise, and codify section seventy-seven hundred fifty-nine (7759) of the compiled code of Iowa, relating to the examination of debtors in proceedings auxiliary to execution, beg leave to report they have had 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. F. CLARK, *Chairman.*

Report adopted.

#### REPORT OF COMMITTEE ON RULES CONSIDERED

Ontjes of Grundy called up the report of the committee on rules, found on page 95 of the Journal of December 10th, and moved its adoption. Motion prevailed and the report was adopted.

#### REPORT OF JOINT COMMITTEE ON RULES CONSIDERED

Ontjes of Grundy called up the report of the joint committee on rules, found on page 95 of the House Journal of December 10th.

Children of Pottawattamie moved to amend the report by inserting the word "joint" before the word "rules" wherever the same appears in line two of said report.

McClune of Mahaska moved that action on the report be deferred.

Motion lost.

The amendment offered by Children of Pottawattamie was adopted.

Doolittle of Delaware moved to amend the report by striking out the word "temporarily" in line two thereof.

Amendment adopted.

On motion of Ontjes of Grundy the report of the joint committee, as amended, was adopted.

#### CONSIDERATION OF JOINT RESOLUTION

House Joint Resolution No. 1, joint resolution fixing the compensation of the officers and employees of the special session of the Fortieth General Assembly, was taken up for consideration.

The amendment offered by McClune of Mahaska and found on page 90 of the Journal of December 8th, was taken up and considered.

Mr. McClune moved that the amendment be adopted, and demanded a roll call.

On the question "Shall the amendment be adopted?"

The ayes were:

Anderson of	Gesman	Mathews	Slemmons
Webster	Gibson	Matthiesen	Stookesberry
Berry	Gilbertson	Miller	Storey
Blume	Healy	Napier	Strippel
Bradley	Held	Natvig	Venard
Brittain	Hempel	Noble	Vincent
Buffington	Henderson	Oliver	Wamstad
Carter	Himebauch	Orr	Wilson
Children	Johnson	Parsons	Wolfe
Colbert	King	Quirk	Mr. Speaker—48
Criswell	Knutson	Rassler	
Dooley	Long	Rewoldt	
Frahm	McClune	Schulte	

The nays were:

Blake	Gilmore	Moen	Saunders
Brady	Graham	O'Donnell	Schirmer
Clark	Grimwood	Ontjes	Scott of
Cole	Hansen	Patterson	Appanoose
Dewar	Harrison	Peterson	Smith of
Doolittle	Hauge	Potts	Chickasaw
Dotts	Hollis	Powers	Smith of Lucas
Edson	Huff	Ramsey	Stock
Forsling	Leonard	Rankin	Weber
Gallagher	Letts	Robson	Williams—44
Garber of Adair	Lichty	Rust	
Gilbert	Lovrien	Sampson	

## Absent or not voting:

Aiken	Elliott	Lake	Rumley
Diltz	Fackler	Lieberknecht	Scott of Fremont
Donhowe	Garber of Floyd	Olson	Ulstad
Edge	Hattendorf	Rhinehart	Yenter—16

## Amendment adopted.

Hauge of Polk moved that the joint resolution be read a third time now and placed upon its passage, which motion prevailed and the joint resolution was read a third time.

On the question "Shall the joint resolution pass?"

## The ayes were:

Anderson of Webster	Garber of Adair	Long	Rust
Blake	Gesman	Lovrien	Sampson
Blume	Gibson	McClune	Saunders
Bradley	Gilbert	Mathews	Schirmer
Brady	Gilbertson	Matthiesen	Schulte
Brittain	Gilmore	Miller	Scott of Appanoose
Buffington	Graham	Moen	Slemmons
Carter	Grimwood	Napier	Smith of Chickasaw
Clark	Hansen	Natvig	Smith of Lucas
Colbert	Harrison	Noble	Stock
Cole	Hauge	O'Donnell	Stookesberry
Criswell	Healy	Oliver	Storey
Donhowe	Held	Ontjes	Strippel
Dooley	Hempel	Orr	Venard
Doolittle	Henderson	Parsons	Vincent
Dotts	Himebauch	Patterson	Wamstad
Edge	Hollis	Peterson	Weber
Edson	Huff	Powers	Williams
Fackler	Johnson	Quirk	Wilson
Forsling	King	Ramsey	Wolfe
Frahm	Knutson	Rassler	Mr. Speaker—89
Gallagher	Leonard	Rewoldt	
	Lieberknecht	Robson	

The nays were, none.

## Absent or not voting:

Aiken	Elliott	Lichty	Rumley
Berry	Garber of Floyd	Olson	Scott of Fremont
Children	Hattendorf	Potts	Ulstad
Dewar	Lake	Rankin	Yenter—19
Diltz	Letts	Rhinehart	

So the joint resolution having received a constitutional majority was declared to have passed the House and the title was agreed to.

## CONSIDERATION OF BILL

House File No. 215, a bill for an act to amend, revise, and codify section sixty-six hundred thirty (6630) of the compiled code of

Iowa, and section sixty-six hundred twenty-nine (6629) of the supplement to said code, relating to divorce and the remarriage of divorced persons, with report of committee recommending amendment and passage, was taken up for consideration.

Himebauch of Emmet offered the following amendment to the committee amendments and moved its adoption:

Amend the committee amendments to House File No. 215 by striking out the last paragraph of said amendments.

A roll call was demanded.

On the question "Shall the amendment to the committee amendments be adopted?"

The ayes were:

Anderson of Webster	Gesman	Miller	Schulte
Berry	Gibson	Natvig	Slemmons
Blake	Gilmore	O'Donnell	Smith of Chickasaw
Bradley	Graham	Olson	Smith of Lucas
Brittain	Hattendorf	Ontjes	Stock
Buffington	Hauge	Parsons	Stokesberry
Carter	Held	Peterson	Storey
Clark	Hempel	Powers	Strippel
Cole	Henderson	Ramsey	Venard
Criswell	Himebauch	Rewoldt	Wamstad
Donhowe	Johnson	Rhinehart	Weber
Dooley	Knutson	Saunders	Williams
Edge	Lichty	Schirmer	Wilson
Gallagher	Lieberknecht	Scott of Appanoose	Mr. Speaker—57
	Long		

The nays were:

Aiken	Frahm	Letts	Rankin
Blume	Garber of Adair	Lovrien	Rassler
Children	Garber of Floyd	McClune	Robson
Colbert	Gilbert	Matthiesen	Rust
Dewar	Gilbertson	Moen	Sampson
Doolittle	Grimwood	Napier	Ulstad
Dotts	Hansen	Noble	Vincent
Edson	Harrison	Oliver	Wolfe—41
Elliott	Hollis	Orr	
Fackler	King	Patterson	
Forsling	Leonard	Quirk	

Absent or not voting:

Brady	Huff	Potts	Yenter—10
Diltz	Lake	Rumley	
Healy	Mathews	Scott of Fremont	

Amendment adopted.

On motion of Clark of Linn the amendments proposed by the committee, found on page 88 of the Journal of December 8th, as amended, were adopted.

Doolittle of Delaware offered the following amendment and moved its adoption:

Amend section four (4) of House File No. 215 by striking out of line two (2) thereof the words "for notice and"; also, by striking out of line three (3) thereof the words "the acceptance of service or".

Amendment adopted.

Speaker pro tempore Ontjes in the chair.

McClune of Mahaska offered the following amendment and moved its adoption:

Amend section one (1) of House File No. 215 by adding to said section, as amended, the following: "Any person marrying contrary to the provisions of this section shall be deemed guilty of a misdemeanor and punished accordingly."

Forsling of Woodbury offered the following amendment:

Amend House File No. 215 by striking section four (4) therefrom.

Hauge of Polk moved that House File No. 215, with pending amendments, be rereferred to the committee on judiciary.

Motion prevailed.

#### AMENDMENTS FILED

Moen of Lyon filed the following amendments to House Joint Resolution No. 2:

Amend House Joint Resolution No. 2 by striking therefrom all of paragraphs 1, 2, 3, 4, 5, 6, 7 and 8 and substitute in lieu thereof the following:

1. As janitors at a compensation of \$100.00 per month dating from the reconvening of the special session on December 4th: Samuel Blackburn, Stuart McMullen, Jake Tobis, Chas. S. Harris, W. F. Wiley, B. F. Schreves, Otha Blue, Wilder J. Moore.

2. As elevator tenders at a compensation of \$100.00 per month dating from the reconvening of the special session on December 4th: Hazel Anderson and George Stirts.

3. As assistant state house postmaster at a compensation of \$3.00 per day dating from the reconvening of the special session on December 4th: Frank Blagburn,

4. As assistant matron at a compensation of \$3.00 per day dating from the reconvening of the special session on December 4th: Mrs. Ella Johnson.

5. As extra fireman at a compensation of \$125.00 per month dating from the reconvening of the special session on December 4th: Phillip Jones.

In the state library:

6. One research assistant at a compensation of \$4.00 per day dating from the reconvening of the special session on December 4th: R. F. Forest.

7. One stenographer at a compensation of \$4.00 per day dating from the reconvening of the special session on December 4th: Mary Korn.

8. One page at a compensation of \$2.00 per day dating from the reconvening of the special session on December 4th: Fred Maurer.

Bradley of Poweshiek filed the following amendments to House File No. 82:

Amend House File No. 82 as follows:

Amend section two (2) by striking out of lines four (4) and five (5) thereof the words "and the reasonable compensation of the trustee".

Amend section twelve (12) by striking out of line three (3) thereof the words "for the purposes of this section".

#### CONCURRENT RESOLUTION NO. 3

Moen of Lyon filed the following concurrent resolution:

*Be it resolved by the House, the Senate concurring,* that we recess on Friday, December 21st at noon to reconvene on Thursday, December 27th, 1923, at 10 a. m.

Pased on file.

On motion of Children of Pottawattamie the House adjourned until 10 a. m. Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 12, 1923.

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

Prayer was offered by the Rev. L. G. Krebs, pastor of St. Paul's Evangelical Lutheran church, Des Moines, Iowa.

Journal of December 11th corrected and approved.

## PETITIONS

O'Donnell of Dubuque presented a resolution from Camps Nos. 1095, 2094 and 86, Royal Neighbors of America, and Camp No. 984, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Williams of Montgomery presented a resolution from Camp No. 671, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Natvig of Howard presented resolutions from Camps Nos. 4720 and 586, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Peterson of Henry presented a resolution from Camp No. 5844, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Hempel of Clayton presented a request from members of the Christian Science church, urging amendments to House File No. 92. Referred to committee on state educational institutions.

Doolittle of Delaware presented resolutions from Camps Nos. 2634 and 2488, Royal Neighbors of America, and Camp No. 88, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Graham of Wapello presented a resolution from Camp No. 2020,

Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Hattendorf of Osceola presented resolutions from Camps Nos. 1513, 5291 and 5489, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Hattendorf of Osceola presented requests from citizens of Sibley urging amendments to House Files Nos. 42 and 92. Referred to committee on labor and state educational institutions, respectively.

Cole of Harrison presented a resolution from the Harrison Township Farm Bureau, Harrison county, protesting against the proposed change in our taxing system. Referred to committee on ways and means.

#### REPORTS OF COMMITTEES

Forsling 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. 167, a bill for an act to amend, revise, and codify sections three thousand seven hundred seventy-nine (3779) to three thousand seven hundred eighty-one (3781), inclusive, of the compiled code of Iowa, relating to municipal 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 do pass.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on municipal corporations to whom was referred House File No. 156, a bill for an act to amend, revise, and codify sections three thousand five hundred seventy-five (3575), three thousand five hundred seventy-seven (3577), and three thousand five hundred seventy-eight (3578) of the compiled code of Iowa, and section three thousand five hundred eighty (3580) of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

By striking the word and figure "five (5)" from line 10 of section 4 and by inserting in lieu thereof the word and figures "ten (10)".

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on municipal corporations to whom was referred House File No. 165, a bill for an act to amend, revise, and codify sections three thousand four hundred forty-three (3443) and three thousand seven hundred forty-nine (3749) of the compiled code of Iowa, and sections three thousand seven hundred fifty-two (3752) and three thousand seven hundred sixty (3760) of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

By striking the three lines preceding section 7 and by striking all of section 7.

Also amend by striking out the two lines preceding section one (1) and inserting in lieu thereof the following:

"That section three thousand seven hundred forty-nine (3749) of the compiled code of Iowa, and section three thousand seven hundred sixty (3760) of the supplement to said code, are amended, revised, and codified to read as follows:".

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on municipal corporations to whom was referred House File No. 158, a bill for an act to amend, revise, and codify sections three thousand five hundred ninety-two (3592) to three thousand five hundred ninety-four (3594), inclusive, three thousand five hundred ninety-nine (3599) to three thousand six hundred two (3602), inclusive, three thousand six hundred five (3605) to three thousand six hundred twelve (3612), inclusive, three thousand six hundred twenty (3620), three thousand six hundred twenty-two (3622), three thousand six hundred twenty-three (3623), three thousand six hundred twenty-five (3625), three thousand six hundred twenty-six (3626), three thousand six hundred forty-two (3642) to three thousand six hundred forty-four (3644), inclusive, three thousand six hundred forty-seven (3647) to three thousand six hundred fifty-two (3652), inclusive, three thousand six hundred fifty-six (3656), three thousand six hundred fifty-nine (3659), and three thousand six hundred sixty-one (3661) to three thousand six hundred sixty-three (3663), inclusive, of the compiled code of Iowa, and section three thousand six hundred sixty (3660) of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

By striking out all of section 28, and inserting in lieu thereof the following:

"Cities and towns may by resolution annually appropriate out of the general fund to pay dues to the league of Iowa municipalities not to

exceed the following amounts: Municipalities of less than two thousand population, ten dollars; from two thousand to five thousand, twenty dollars; from five thousand to ten thousand, thirty dollars; from ten thousand to thirty thousand, forty dollars; from thirty thousand to fifty thousand, fifty dollars; all over fifty thousand, sixty dollars. In addition they may pay the expenses of not more than two delegates to the annual meeting of the league."

L. B. FORSLING, *Chairman.*

Report adopted.

#### CONSIDERATION OF JOINT RESOLUTION

House Joint Resolution No. 2, joint resolution relating to the selection of additional employees of the special session of the Fortieth General Assembly of the state of Iowa, fixing their compensation and defining their duties, was taken up for consideration.

The amendments filed by Moen of Lyon and found on pages 105 and 106 of the Journal of December 11th, were taken up and considered.

Mr. Moen moved the adoption of the amendments. Motion prevailed and the amendments were adopted.

Mr. Moen moved that the joint resolution be read a third time now and placed upon its passage, which motion prevailed and the joint resolution was read a third time.

On the question "Shall the joint resolution pass?"

The ayes were:

Aiken	Elliott	Johnson	Parsons
Anderson of	Fackler	King	Patterson
Webster	Frahm	Knutson	Peterson
Berry	Gallagher	Lake	Potts
Blume	Garber of Adair	Leonard	Powers
Bradley	Garber of Floyd	Letts	Quirk
Brady	Gesman	Lichty	Ramsey
Brittain	Gilbert	Lieberknecht	Rankin
Buffington	Gilbertson	Long	Rassler
Carter	Gilmore	Lovrien	Rewoldt
Children	Graham	McClune	Rhinehart
Clark	Grimwood	Mathews	Robson
Colbert	Hansen	Matthiesen	Rust
Cole	Harrison	Miller	Sampson
Criswell	Hattendorf	Moen	Saunders
Dewar	Hauge	Napier	Schirmer
Donhowe	Healy	Natvig	Schulte
Dooley	Held	Noble	Scott of
Doolittle	Hempel	O'Donnell	Appanoose
Dotts	Henderson	Oliver	Scott of Fremont
Edge	Himebauch	Olson	Slemmons
Edson	Hollis	Orr	Smith of Lucas

Smith of Chickasaw	Storey Strippel	Wamstad Weber	Wolfe Mr. Speaker—99.
Stock	Ulstad	Williams	
Stokesberry	Venard	Wilson	

The nays were, none.

Absent or not voting:

Blake	Gibson	Rumley
Diltz	Huff	Vincent
Forsling	Ontjes	Yenter—9.

So the joint resolution having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CONSIDERATION OF BILLS

House File No. 128, a bill for an act to amend, revise, and codify sections three thousand thirty-five (3035) to three thousand thirty-seven (3037), inclusive, and three thousand forty (3040) of the compiled code of Iowa, relating to the use of public highways, with report of committee recommending amendment and passage, was taken up for consideration.

Criswell of Boone offered the following amendment to the committee amendments and moved its adoption:

Amend the committee amendments to House File No. 128 by striking out all of the first line thereof, and by substituting in lieu thereof the following: "Amend House File No. 128 by striking out all of lines three (3), four (4) and five (5) of section two (2) following the period in line three (3)."

Amendment adopted.

On motion of Anderson of Webster the amendments proposed by the committee, found on page 94 of the Journal of December 10th, as amended, were adopted.

Carter of Hardin offered the following amendment and moved its adoption:

Amend section two (2) of House File No. 128 by adding thereto the following:

"Grants for gas or water mains shall not exceed twenty (20) years."

Amendment adopted.

Anderson of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lichty	Rhinehart
Anderson of	Garber of Adair	Lieberknecht	Robson
Webster	Garber of Floyd	Long	Rust
Berry	Gesman	Lovrien	Saunders
Blake	Gibson	McClune	Schirmer
Blume	Gilbert	Mathews	Schulte
Brady	Gilbertson	Matthiesen	Scott of
Brittain	Gilmore	Miller	Appanoose
Buffington	Graham	Moen	Scott of Fremont
Carter	Grimwood	Napier	Slemmons
Children	Hansen	Natvig	Smith of
Colbert	Harrison	Noble	Chichasaw
Cole	Hattendorf	O'Donnell	Smith of Lucas
Criswell	Hauge	Oliver	Stock
Dewar	Healy	Olson	Stookesberry
Diltz	Held	Ontjes	Storey
Donhowe	Hempel	Orr	Strippel
Dooley	Henderson	Parsons	Ulstad
Doolittle	Himebauch	Patterson	Venard
Dotts	Hollis	Peterson	Vincent
Edge	Huff	Potts	Wamstad
Edson	Johnson	Powers	Weber
Elliott	King	Quirk	Williams
Fackler	Knutson	Ramsey	Wilson
Forsling	Leonard	Rassler	Wolfe
Frahm	Letts	Rewoldt	Mr. Speaker—101

The nays were:

Bradley                      Clark                      Rankin—3

Absent or not voting:

Lake                      Rumley                      Sampson                      Yenter—4

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 164, a bill for an act to amend, revise, and codify sections three thousand seven hundred forty-five (3745) to three thousand seven hundred forty-eight (3748), inclusive, of the compiled code of Iowa, and section three thousand seven hundred forty (3740) of the supplement to said code, relating to municipal corporations, with report of committee recommending passage, was taken up for consideration.

Weber of Dubuque moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Aiken	Frahm	Lichty	Robson
Anderson of	Gallagher	Lieberknecht	Rust
Webster	Garber of Adair	Long	Sampson
Berry	Garber of Floyd	Lovrien	Saunders
Blake	Gesman	McClune	Schirmer
Blume	Gibson	Mathews	Schulte
Bradley	Gilbert	Matthieson	Scott of
Brady	Gilbertson	Miller	Appanoose
Brittain	Gilmore	Moen	Scott of Fremont
Buffington	Graham	Napier	Slemmons
Carter	Grimwood	Natvig	Smith of
Children	Harrison	O'Donnell	Chickasaw
Clark	Hauge	Oliver	Smith of Lucas
Colbert	Healy	Olson	Stock
Cole	Held	Ontjes	Stookesberry
Criswell	Hempel	Orr	Storey
Dewar	Henderson	Parsons	Strippel
Diltz	Himebauch	Patterson	Ulstad
Donhowe	Hollis	Peterson	Venard
Dooley	Huff	Potts	Wamstad
Doolittle	Johnson	Powers	Weber
Dotts	King	Quirk	Williams
Edge	Knutson	Ramsey	Wilson
Edson	Lake	Rankin	Wolfe
Elliott	Leonard	Rassler	Mr. Speaker—100
Fackler	Letts	Rhinehart	

The nays were, none.

## Absent or not voting:

Forsling	Hattendorf	Rewoldt	Vincent
Hansen	Noble	Rumley	Yenter—8

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 166, a bill for an act to amend, revise, and codify section three thousand seven hundred seventy-seven (3777) of the compiled code of Iowa, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Himebauch of Emmet the amendments proposed by the committee, found on pages 92 and 93 of the Journal of December 10th, were adopted.

Mr. Himebauch moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lichty	Rust
Anderson of Webster	Garber of Adair	Lieberknecht	Sampson
Berry	Garber of Floyd	Long	Saunders
Blake	Gesman	McClune	Schirmer
Blume	Gibson	Mathews	Schulte
Brady	Gilbert	Miller	Scott of Appanoose
Brittain	Gilbertson	Moen	Scott of Fremont
Buffington	Gilmore	Napier	Slemmons
Carter	Graham	Natvig	Smith of Chickasaw
Children	Grimwood	Noble	Smith of Lucas
Clark	Harrison	O'Donnell	Stock
Colbert	Hattendorf	Olson	Stookesberry
Cole	Hauge	Ontjes	Storey
Criswell	Healy	Orr	Strippel
Dewar	Hempel	Parsons	Ulstad
Diltz	Henderson	Patterson	Venard
Dooley	Himebauch	Peterson	Wamstad
Doolittle	Hollis	Potts	Weber
Dotts	Huff	Powers	Williams
Edge	Johnson	Quirk	Wilson
Edson	King	Ramsey	Wolfe
Fackler	Knutson	Rassler	Mr. Speaker—96
Forsling	Lake	Rewoldt	
Frahm	Leonard	Rhinehart	
	Letts	Robson	

The nays were:

Bradley	Donhowe	Oliver—3
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Absent or not voting:

Elliott	Lovrien	Rankin	Vincent
Hansen	Matthiesen	Rumley	Yenter—9
Held			

So the bill having received a constitutional majority was declared to have passed the House and the title as amended was agreed to.

House File No. 180, a bill for an act to amend, revise, and codify sections four thousand seventy-one (4071), four thousand seventy-two (4072) and four thousand seventy-three (4073) of the compiled code of Iowa, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found on pages 93 and 94 of the Journal of December 10th, were taken up and considered.

Lovrien of Humboldt offered the following amendment:

Amend section four (4) of House File No. 180 by inserting the word "record" after the word "fee" in line three (3) thereof; also, by insert-

ing the words "of record" after the word "encumbrance" in line four (4) thereof.

Forsling of Woodbury moved that House File No. 180, with pending amendments, be rereferred to the committee on municipal corporations.

Motion prevailed.

House File No. 258, a bill for an act to amend, revise, and codify sections forty-two hundred nineteen (4219), forty-two hundred nineteen-a one (4219-a1), and forty-two hundred twenty-four (4224) of the supplement to the compiled code of Iowa, relating to the nomination and election of officers, employees, and assistants in cities acting under the commission form of government, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Hauge of Polk the amendments proposed by the committee, found on page 93 of the Journal of December 10th, were adopted.

Mr. Hauge moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Garber of Floyd	Lichty	Rankin
Blake	Gesman	Lieberknecht	Rassler
Blume	Gibson	Long	Rhinehart
Bradley	Gilbert	Lovrien	Rumley
Brady	Gilbertson	McClune	Rust
Brittain	Gilmore	Mathews	Sampson
Buffington	Graham	Matthiesen	Saunders
Carter	Grimwood	Miller	Schirmer
Children	Harrison	Moen	Schulte
Clark	Hattendorf	Napier	Scott of
Cole	Hauge	Natvig	Appanoose
Criswell	Healy	Noble	Scott of Fremont
Dewar	Held	O'Donnell	Slemmons
Donhowe	Hempel	Oliver	Smith of Lucas
Dooley	Henderson	Olson	Stock
Doolittle	Himebauch	Ontjes	Stookesberry
Dotts	Hollis	Orr	Storey
Edge	Huff	Parsons	Ulstad
Edson	Johnson	Patterson	Venard
Forsling	King	Peterson	Wamstad
Frahm	Knutson	Potts	Weber
Gallagher	Lake	Powers	Wilson
Garber of Adair	Leonard	Quirk	Mr. Speaker—93.
	Letts	Ramsey	

The nays were, none.

Absent or not voting:

Aiken	Elliott	Robson	Vincent
Berry	Fackler	Smith of	Williams
Colbert	Hansen	Chickasaw	Wolfe
Diltz	Rewoldt	Strippel	Yenter—15.

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 176, a bill for an act to amend, revise, and codify sections four thousand twenty-three (4023), four thousand twenty-four (4024), four thousand twenty-seven (4027), four thousand nine hundred sixty-nine (4969), four thousand nine hundred seventy (4970), three thousand seven hundred twenty-five (3725), three thousand seven hundred thirty-six (3736), three thousand seven hundred fifty-three (3753), three thousand seven hundred fifty-four (3754), and three thousand seven hundred seventy-five (3775) of the compiled code of Iowa, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

Clark of Linn offered the following amendment as a substitute for the committee amendments and moved its adoption:

Amend House File No. 176 by inserting between the words "for" and "sewer outlets" in line fifteen (15) of section one (1), the following: "sewers,".

Amendment adopted.

Forsling of Woodbury moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Diltz	Gilbert	Hollis
Webster	Dooley	Gilbertson	Huff
Blake	Doolittle	Gilmore	Johnson
Blume	Dotts	Graham	King
Bradley	Edge	Grimwood	Knutson
Brittain	Edson	Hattendorf	Lake
Buffington	Forsling	Hauge	Leonard
Carter	Frahm	Healy	Letts
Children	Gallagher	Held	Lichty
Clark	Garber of Floyd	Hempel	Lieberknecht
Cole	Gesman	Henderson	Long
Criswell	Gibson	Himebauch	Lovrien

McClune	Parsons	Sampson	Stock
Mathews	Patterson	Saunders	Stookesberry
Miller	Peterson	Schirmer	Storey
Moen	Potts	Schulte	Strippel
Napier	Powers	Scott of	Ulstad
Natvig	Rankin	Appanoose	Venard
Noble	Rewoldt	Scott of Fremont	Wamstad
O'Donnell	Rhinehart	Slemmons	Weber
Oliver	Robson	Smith of	Wilson
Olson	Rumley	Chickasaw	Mr. Speaker—88
Ontjes	Rust	Smith of Lucas	

The nays were, none.

Absent or not voting:

Aiken	Donhowe	Harrison	Rassler
Berry	Elliott	Matthiesen	Vincent
Brady	Fackler	Orr	Williams
Colbert	Garber of Adair	Quirk	Wolfe
Dewar	Hansen	Ramsey	Yenter—20

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 82, a bill for an act to amend, revise and codify chapter twelve (12) of title twenty-three (23) of the compiled code of Iowa, and of the supplement to said code, relating to trustees to manage cemetery funds, with report of committee recommending passage, was taken up for consideration.

The amendment filed by Bradley of Poweshiek, found on page 106 of the Journal of December 11th, was taken up and considered.

Mr. Bradley moved that the amendment be adopted. Motion prevailed and the amendment was adopted.

Mr. Bradley moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Clark	Fackler	Harrison
Webster	Colbert	Frahm	Hattendorf
Berry	Cole	Gallagher	Hauge
Blake	Criswell	Gesman	Healy
Blume	Diltz	Gibson	Held
Bradley	Donhowe	Gilbert	Hempel
Brady	Dooley	Gilbertson	Henderson
Brittain	Doolittle	Gilmore	Hollis
Buffington	Dotts	Graham	Johnson
Carter	Edson	Grimwood	King
Children	Elliott	Hansen	Knutson

Lake	O'Donnell	Robson	Stock
Leonard	Oliver	Rumley	Stokesberry
Letts	Olson	Rust	Storey
Lichty	Ontjes	Sampson	Strippel
Lieberknecht	Orr	Saunders	Ulstad
Long	Parsons	Schirmer	Venard
Lovrien	Patterson	Schulte	Wamstad
McClune	Peterson	Scott of	Weber
Mathews	Potts	Appanoose	Williams
Miller	Powers	Scott of Fremont	Wilson
Moen	Ramsey	Slemmons	Mr. Speaker—94.
Napier	Rassler	Smith of	
Natvig	Rewoldt	Chickasaw	
Noble	Rhinehart	Smith of Lucas	

The nays were, none.

Absent or not voting:

Aiken	Garber of Adair	Matthiesen	Wolfe
Dewar	Garber of Floyd	Quirk	Yenter—14.
Edge	Himebauch	Rankin	
Forsling	Huff	Vincent	

So the bill having received a constitutional majority was declared to have passed the House 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. 10, a bill for an act to amend, revise, and codify chapter six (6) of title two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 61, a bill for an act to amend, revise, and codify chapter twenty-three (23) of title five (5) of the compiled code of Iowa, relating to gold and silver alloy.

Also, that the Senate has adopted the following joint resolution in which the concurrence of the Senate was asked:

House Joint Resolution No. 1, resolution fixing the compensation of the officers and employees of the Special Session of the Fortieth General Assembly.

Also, that the Senate has adopted the report of the joint committee on rules, recommending that the joint rules of the Fortieth General Assembly be adopted temporarily as joint rules for the special session as far as applicable.

Also, that the Senate has adopted Senate Concurrent Resolution No. 5 in which the concurrence of the House is asked:

Resolution providing for a joint convention on Friday, December 14, at 11 a. m. for the purpose of holding a memorial for the late President Harding.

Also, the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 239, a bill for an act to amend, revise, and codify section seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to distribution of intestate property.

Also, 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 to amend, revise, and codify sections six hundred (600), six hundred nine (609), and six hundred ten (610) of the compiled code of Iowa, relating to the time and manner of qualifying of elected or appointed officers.

Also, 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 to amend, revise, and codify section eighty-one hundred twenty-three (8123) of the compiled code of Iowa, relating to abstracts of title in partition proceedings.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 39, a bill for an act to amend, revise, and codify section seven hundred four (704) of the compiled code of Iowa, relating to the administration of oaths.

L. W. AINSWORTH, *Secretary*.

#### SENATE CONCURRENT RESOLUTION CONSIDERED

Gilbert of Marshall called up Senate Concurrent Resolution No. 5 and asked and obtained unanimous consent for its immediate consideration:

#### SENATE CONCURRENT RESOLUTION NO. 5

*Whereas*, the Governor of Iowa has in a proclamation, dated December 3, 1923, designated the week of December 9 to December 16, inclusive, as a period to be especially devoted to the furtherance of a memorial to our late president, Warren G. Harding, therefore,

*Be It Resolved by the Senate, the House concurring*, That a joint convention of the two houses of the Fortieth extraordinary session of the General Assembly be held on Friday, December 14, at 11 a. m. for the purpose of conducting appropriate exercises in commemoration of the life and public service of our beloved late president.

Mr. Gilbert moved that the House concur in the concurrent resolution. Motion prevailed.

## SENATE MESSAGES CONSIDERED

Senate File No. 31, a bill for an act to amend, revise, and codify sections six hundred (600), six hundred nine (609), and six hundred ten (610) of the compiled code of Iowa, relating to the time and manner of qualifying of elected or appointed officers.

Read first and second times and referred to committee on elections.

Senate File No. 239, a bill for an act to amend, revise, and codify section seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to distribution of intestate property.

Read first and second times and referred to committee on judiciary.

Senate File No. 271, a bill for an act to amend, revise, and codify section eighty-one hundred twenty-three (8123) of the compiled code of Iowa, relating to abstracts of title in partition proceedings.

Read first and second times and referred to committee on judiciary.

Senate File No. 39, a bill for an act to amend, revise, and codify section seven hundred four (704) of the compiled code of Iowa, relating to the administration of oaths.

Read first and second times and referred to committee on judiciary.

## EXPLANATION OF VOTE

Scott of Appanoose filed the following explanation of vote :

In the roll call on the amendment by McClune of Mahaska to House Joint Resolution No. 1 fixing the compensation of the officers and employees of the special session of the Fortieth General Assembly found on page 102 of the Journal of December 11 I am recorded as voting "no" on this amendment. It was my intention to vote for this amendment and had so expressed myself but for some reason I made a mistake and desire to file this explanation thereof.

C. H. SCOTT.

On motion of Gilmore of Cedar the House adjourned until 10 a. m. Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 13, 1923.

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

Prayer was offered by the Rev. Sampson Cocks, pastor of Westminster Presbyterian church, Des Moines, Iowa. .

Journal of December 12th corrected and approved.

## PETITIONS

Slemmons of Buchanan presented resolutions from Camps Nos. 420, 515, 1063 and 4615, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Strippel of Benton presented a resolution from Camp No. 2267, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Dooley of Van Buren presented a resolution from Camp No. 4495, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Scott of Fremont presented resolutions from Camps Nos. 1489 and 9184, Royal Neighbors of America, and Camp No. 336 M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Cole of Harrison presented a resolution from the Nelson Hollow Farmers Club, Harrison county, protesting against the proposed change in our taxing system. Referred to committee on ways and means.

Hempel of Clayton presented resolutions from citizens of McGregor, urging amendments to House File No. 42. Referred to committee on labor.

Criswell of Boone presented resolutions from Camp No. 305, M. W. A., and Camp No. 6864, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

O'Donnell of Dubuque presented a resolution from Camp No. 83, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Elliott of Scott until Monday, on request of Rankin of Lee; Leonard of Taylor for the forenoon, on request of Williams of Montgomery; Fackler of Adams for the day, on request of Colbert of Union; Saunders of Palo Alto for the day, on request of Himebauch of Emmet.

#### ADDITIONAL COMMITTEE ASSIGNMENTS

The Speaker announced the following additional committee assignments:

Elliott of Scott, municipal corporations; Edson of Buena Vista, drainage.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File No. 285.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### REPORTS OF COMMITTEES

Buffington of Mills, from the committee on land titles, submitted the following report:

MR. SPEAKER: Your committee on land titles to whom was referred House File No. 78, a bill for an act to amend, revise, and codify chapter three (3) of title twenty-three (23) of the compiled code of Iowa, relating to occupying claimants, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section 6, line 2, by striking the word "plaintiff" and inserting in lieu thereof the word "owner" to comply with the preceding sections.

C. R. BUFFINGTON, *Chairman.*

Report adopted.

**Also:**

MR. SPEAKER: Your committee on land titles to whom was referred House File No. 2, a bill for an act to amend, revise, and codify sections four (4) to eight (8), inclusive, and forty-nine hundred sixty-two (4962) of the compiled code of Iowa, relating to the acquisition by the United States of lands 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 do pass.

C. R. BUFFINGTON, *Chairman.*

**Report adopted.**

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 57, a bill for an act to amend, revise, and codify sections twelve hundred four (1204) to twelve hundred seven (1207), inclusive, and twelve hundred nine (1209) of the compiled code of Iowa, relating to lost 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, and when so amended the bill do pass:

1. Amend by inserting a period (.) after the word "thereof" in line 4, section 3, and by striking out all the remainder of said section following said period (.)

2. Amend section 4 by striking from line 3 thereof the words "some justice of the peace" and inserting in lieu thereof the words "the county auditor"; and by striking out of line 7 thereof the word "justice" and inserting in lieu thereof the words "county auditor"; and by inserting a period (.) after the word "finder" in line 9 thereof, and striking out the remainder of said section.

3. Amend by striking out sections 5 and 6 of said bill and inserting in lieu thereof the following:

"Sec. 5. Advertisement. The finder of such lost goods, money, bank notes, or other things, shall forthwith give written notice of the finding of such property. Such notice shall contain an accurate description of the property and a statement as to the time when and place where the same was found and the postoffice address of the finder. Said notice shall:

1. Be posted at the door of the courthouse in the county in which the property was found and in three other of the most public places in the said county; and

2. In case the property found shall exceed ten dollars in value, the notice shall be published once each week for three consecutive weeks in some newspaper published in and having general circulation in said county."

"Sec. 6. Record of publication. Proof of the publication of said notice and of the posting thereof shall be made by affidavits of the publisher and

the person posting said notices, and said affidavits shall be filed in the office of the county auditor of said county.

Sec. 6-a1. Additional publication. The affidavits provided for in the preceding section shall be entered by the auditor in the proceedings of the board of supervisors and the same shall be published with the proceedings of said board.

Sec. 6-a2. Vesting of title. If no person appears to claim and prove ownership to said goods, money, bank notes or other things within twelve months of the date when proof of said publication and posting is filed in the office of the county auditor, the right to such property shall irrevocably vest in said finder."

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 213, a bill for an act to amend, revise and codify sections sixty-five hundred eighty-nine (6589), sixty-five hundred ninety (6590), sixty-five hundred ninety-six (6596) and sixty-six hundred (6600) of the compiled code of Iowa, and section eighty-six hundred eighteen (8618) of the supplement of said code, relating to marriages and incest, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking out subsection three (3) of section five (5) and inserting in lieu thereof the following:

"Name of person and the relationship to bride and groom giving consent to marriage in case the male is a minor or the female is under eighteen years of age."

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 272, a bill for an act to amend, revise, and codify section eighty-nine hundred two (8902) of the compiled code of Iowa, relating to corruption in 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, and when so amended the bill do pass:

Amend by inserting after the word "any" and before the word "election" in line two (2) thereof, the word "public".

C. F. CLARK, *Chairman.*

Report adopted.

Children of Pottawattamie, from the committee on animal industry, submitted the following report:

MR. SPEAKER: Your committee on animal industry to whom was referred House File No. 71, a bill for an act to amend, revise, and codify chapter twenty-two (22) of title eight (8) and sections thirty-one hundred forty-two (3142) and thirty-one hundred forty-three (3143) of the compiled code of Iowa, and sections thirty-one hundred thirty-nine-a one (3139-a1) to thirty-one hundred thirty-nine-a three (3139-a3), inclusive, thirty-one hundred thirty-nine-a three-a (3139-a3a), thirty-one hundred thirty-nine-a four (3139-a4) to thirty-one hundred thirty-nine-a fourteen (3139-a14), inclusive, and thirty-one hundred forty (3140) of the supplement to said code, relating to neglected, disabled, and abandoned animals, animals running at large, estrays, dogs and the responsibility therefor, the licensing of dogs, the rights and duties resulting from such licensing or failure to license, and the payment of claims for damages done by dogs and wolves, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

By striking out the word "unfenced" in line 2, section 7, and inserting in lieu thereof the word "unimproved".

Also, by striking out section fifty-six (56) and section fifty-nine (59).

W. C. CHILDREN, *Chairman.*

Report adopted.

#### CONSIDERATION OF BILL

House File No. 234, a bill for an act to amend, revise, and codify section seventy-seven hundred fifty-nine (7759) of the compiled code of Iowa, relating to the examination of debtors in proceedings auxiliary to execution, with report of committee recommending passage, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Colbert	Garber of Adair	Held
Anderson of	Cole	Garber of Floyd	Hempel
Webster	Criswell	Gesman	Henderson
Berry	Dewar	Gibson	Himebauch
Blake	Diltz	Gilbert	Hollis
Blume	Donhowe	Gilbertson	Huff
Bradley	Dotts	Gilmore	Johnson
Brady	Edge	Graham	King
Brittain	Edson	Hansen	Knutson
Buffington	Forsling	Harrison	Lake
Carter	Frahm	Hauge	Letts
Clark	Gallagher	Healy	Lichty

Lieberknecht	Olson	Robson	Stock
Long	Ontjes	Rumley	Stookesberry
Lovrien	Orr	Rust	Storey
McClune	Parsons	Sampson	Strippel
Mathews	Patterson	Schirmer	Ulstad
Matthiesen	Peterson	Schulte	Venard
Miller	Powers	Scott of	Vincent
Moen	Quirk	Appanoose	Wamstad
Napier	Ramsey	Scott of Fremont	Weber
Natvig	Rankin	Slemmons	Williams
Noble	Rassler	Smith of	Wilson
O'Donnell	Rewoldt	Chickasaw	Wolfe
Oliver	Rhinehart	Smith of Lucas	Mr. Speaker—97

The nays were, none.

Absent or not voting:

Children	Elliott	Hattendorf	Saunders
Dooley	Fackler	Leonard	Yenter—11
Doollittle	Grimwood	Potts	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### AMENDMENT FILED

Diltz of Polk filed the following amendment to House File No. 272:

Amend House File No. 272 by striking therefrom all of section one (1) following the word "so," in line three (3) and preceding the word "shall" in line eight (8).

On motion of Diltz of Polk the House adjourned until 9 a. m. Friday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 14, 1923.

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

Prayer was offered by the Rev. Arthur Stookesberry, Floris, Iowa.

Journal of December 13th corrected and approved.

## PETITIONS

Blume of Crawford presented a resolution from the Nelson Hollow Farmers Club, Dunlap, protesting against the proposed change in our taxing system. Referred to committee on ways and means.

Saunders of Palo Alto presented a resolution from Camp No. 1997, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Long of Jefferson presented a resolution from Camp No. 6239, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Criswell of Boone presented a resolution from Camp No. 2937, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Graham of Wapello presented a resolution from Camp No. 1837, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Leonard of Taylor for the forenoon, on request of Graham of Wapello; Saunders of Palo Alto for the day, on request of Himebauch of Emmet.

## REPORTS OF COMMITTEES

Edson of Buena Vista, 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. 117, a bill for an act to amend, revise, and codify twenty-seven hundred ninety-nine (2799), twenty-eight hundred sixteen (2816), twenty-eight hundred twenty-six (2826) to twenty-eight hundred thirty-four (2834), inclusive, of the compiled code of Iowa and of the supplement to said code, relating to the establishment, vacation, and alteration of highways and to the erection and maintenance of 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, and when so amended the bill do pass:

By placing a period (.) after the word "building" in line five (5) of section 2, and striking out the remainder of the section.

Also amend by inserting after the word "funds" in line three (3), section 6, ", or from the primary road fund".

Also amend by striking out of line 4, section 6, the words "the board may require" and inserting in lieu thereof "the township trustees shall pay", and by striking out the words "to be paid" from line five (5).

W. C. EDSON, *Chairman*.

Report adopted.

Forsling 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. 160, a bill for an act to amend, revise, and codify sections three thousand six hundred eighty-seven (3687), three thousand seven hundred (3700) and three thousand seven hundred three (3703) of the compiled code of Iowa, relating to municipal 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 do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

#### BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, Senate File No. 285.

#### 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:

Senate concurrent resolution No. 4, relative to adjournment Saturday, December 22, 1923, to reconvene Thursday, December 27, 1923, at 10 a. m.

L. W. AINSWORTH, *Secretary*.

## SENATE CONCURRENT RESOLUTION CONSIDERED

Moen of Lyon called up Senate concurrent resolution No. 4, and asked and obtained unanimous consent for its immediate consideration:

## SENATE CONCURRENT RESOLUTION NO. 4

*Resolved by the Senate, the House concurring, That this General Assembly adjourn Saturday, December 22, 1923, to reconvene on Thursday, December 27, 1923, at 10 a. m.*

Mr. Moen moved that Senate Concurrent Resolution No. 4 be substituted for House Concurrent Resolution No. 3.

Motion prevailed.

Rassler of Pocahontas offered the following amendment and moved its adoption:

Amend the Senate concurrent resolution by striking out the word "adjourn" in line 2 and inserting in lieu thereof the word "recess".

Amendment adopted.

Mr. Moen moved that the House concur in the concurrent resolution as amended. Motion prevailed.

## CONSIDERATION OF BILLS

House File No. 156, a bill for an act to amend, revise, and codify sections three thousand five hundred seventy-five (3575), three thousand five hundred seventy-seven (3577), and three thousand five hundred seventy-eight (3578) of the compiled code of Iowa, and section three thousand five hundred eighty (3580) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Blake of Fayette the amendments proposed by the committee, found on page 108 of the Journal of December 12th, were adopted.

Mr. Blake moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken  
Anderson of  
Webster

Berry  
Blake  
Blume

Brady  
Brittain  
Buffington

Carter  
Children  
Clark

Colbert	Hansen	Miller	Rust
Cole	Harrison	Moen	Sampson
Criswell	Hattendorf	Napier	Schirmer
Dewar	Healy	Natvig	Schulte
Diltz	Held	Noble	Scott of
Donhowe	Hempel	O'Donnell	Appanoose
Dooley	Henderson	Oliver	Scott of Fremont
Doolittle	Himebauch	Olson	Slemmons
Dotts	Hollis	Ontjes	Smith of Lucas
Edge	Huff	Orr	Stock
Edson	Johnson	Parsons	Stookesberry
Fackler	King	Patterson	Ulstad
Forsling	Knutson	Peterson	Venard
Frahm	Lake	Potts	Vincent
Gallagher	Letts	Powers	Wamstad
Garber of Adair	Lichty	Quirk	Weber
Gesman	Lieberknecht	Ramsey	Wilson
Gibson	Long	Rankin	Wolfe
Gilbertson	Lovrien	Rassler	Mr. Speaker—95
Gilmore	McClune	Rewoldt	
Graham	Mathews	Rhinehart	
Grimwood	Matthiesen	Robson	

The nays were, none.

Absent or not voting:

Bradley	Hauge	Smith of	Williams
Elliott	Leonard	Chickasaw	Yenter—13
Garber of Floyd	Rumley	Storey	
Gilbert	Saunders	Strippel	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 57, a bill for an act to amend, revise, and codify sections twelve hundred four (1204) to twelve hundred seven (1207), inclusive, and twelve hundred nine (1209) of the compiled code of Iowa, relating to lost property, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Rankin of Lee the amendments proposed by the committee, found on pages 123 and 124 of the Journal of December 13th, were adopted.

Mr. Rankin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Blume	Children	Dewar
Webster	Brittain	Clark	Diltz
Berry	Buffington	Colbert	Dooley
Blake	Carter	Cole	Doolittle

Dotts	Henderson	Oliver	Scott of
Edson	Himebauch	Olson	Appanoose
Fackler	Hollis	Ontjes	Scott of Fremont
Frahm	Johnson	Orr	Slemmons
Gallagher	King	Parsons	Smith of
Garber of Adair	Knutson	Patterson	Chickasaw
Garber of Floyd	Letts	Peterson	Smith of Lucas
Gibson	Lichty	Potts	Stock
Gilbert	Lieberknecht	Powers	Stookesberry
Gilbertson	Long	Quirk	Strippel
Gilmore	Lovrien	Ramsey	Ulstad
Graham	McClune	Rankin	Venard
Grimwood	Mathews	Rewoldt	Vincent
Harrison	Matthieson	Rhinehart	Weber
Hattendorf	Moen	Robson	Williams
Hauge	Napier	Rust	Wilson
Healy	Natvig	Sampson	Wolfe
Hempel	Noble	Schirmer	Mr. Speaker—85

The nays were:

Criswell	Huff	Rassler
Donhowe	Miller	Wamstad—6

Absent or not voting:

Aiken	Forsling	Leonard	Storey
Bradley	Gesman	O'Donnell	Yenter—17
Brady	Hansen	Rumley	
Edge	Held	Saunders	
Elliott	Lake	Schulte	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 2, a bill for an act to amend, revise, and codify sections four (4) to eight (8), inclusive, and forty-nine hundred sixty-two (4962) of the compiled code of Iowa, relating to the acquisition by the United States of lands in this state, with report of committee recommending passage, was taken up for consideration.

Slemmons of Buchanan moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Buffington	Dooley	Gesman
Anderson of	Carter	Doolittle	Gibson
Webster	Children	Dotts	Gilbert
Berry	Clark	Edge	Gilbertson
Blake	Colbert	Edson	Gilmore
Blume	Cole	Fackler	Graham
Bradley	Criswell	Forsling	Grimwood
Brady	Dewar	Frahm	Hansen
Brittain	Donhowe	Gallagher	Harrison

Hattendorf	Lovrien	Potts	Smith of
Hauge	McClune	Powers	Chickasaw
Healy	Mathews	Quirk	Smith of Lucas
Held	Matthiesen	Ramsey	Stock
Hempel	Miller	Rankin	Stookesberry
Henderson	Moen	Rhinehart	Strippel
Hollis	Napier	Robson	Venard
Huff	Natvig	Rumley	Wamstad
Johnson	Noble	Rust	Weber
King	O'Donnell	Sampson	Williams
Knutson	Olson	Schirmer	Wilson
Lake	Ontjes	Schulte	Wolfe
Letts	Orr	Scott of	Mr. Speaker—94
Lichty	Parsons	Appanoose	
Lieberknecht	Patterson	Scott of Fremont	
Long	Peterson	Slemmons	

The nays were:

Oliver—1

Absent or not voting:

Diltz	Himebauch	Saunders	Yenter—13
Elliott	Leonard	Storey	
Garber of Adair	Rassler	Ulstad	
Garber of Floyd	Rewoldt	Vincent	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Wilson of Tama moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint session.

Motion prevailed and the Speaker appointed as such committee, Wilson of Tama, Rust of Franklin and Miller of Shelby.

Wilson of Tama, from the committee appointed to notify the Senate that the House was ready to receive it in joint convention, reported that it had performed its duty.

Report accepted and the committee discharged.

The sergeant-at-arms announced the arrival of the President of the Senate, the Secretary of the Senate, and the honored body of the Senate.

The President of the Senate was escorted to the Speaker's station, the Secretary to the chief clerk's desk, and the members of the Senate took seats on the west side of the chamber.



more modern methods of extracting fees from the sick and unfortunate, and could not, therefore, provide his family with anything but the bare necessities of life.

After he entered college he had to stop from time to time to earn money to continue. He became a printer's devil and displayed a strong inclination toward newspaper work. With little or no money, but influential friends, he purchased one of the Marion papers. His path was anything but rosy in his new undertaking, and the ensuing years were full of difficulties. He was compelled to ask his advertisers to pay in advance so he could meet his creditors, but, with the assistance of his good wife, whom he married against her father's wishes, he transformed the paper into a powerful daily. He posted conspicuously in all the offices and composing rooms the following rules:

1. There are two sides to every question; get them both.
2. Be truthful; get the facts.
3. Be decent.
4. Be fair.
5. Bring out the good.
6. Treat religious subjects with respect.
7. Permit no indecent words to get into print.
8. Write or print no suggestive story.

He followed this last rule with this paragraph:

"I want this paper to go into every home in this state, and I do not want it to be responsible for the lost innocence of any child for which I would be held accountable."

His newspaper work enabled him to make many friends who learned to admire his honesty and sincerity, and, in addition, he had attracted the attention of the Republican leaders by his fine ability as an orator, and became acquainted with such men as McKinley and Foraker. He was then twice elected to the state senate of Ohio, and four years later was elected Lieutenant-governor. He then declined the renomination as Lieutenant-governor, and returned to his newspaper, and four years later became a candidate for governor but was defeated. Four years later he was elected United States senator where, by the force of his personality, he continued to widen the circle of his friendships, although he never sought public attention.

His nomination to the presidency in Chicago in 1920 is familiar to all. Mr. Harding was intensely human, and remarked to newspaper reporters just after the nomination that he felt like he had been holding a pair of eights and had drawn a full house.

In his campaign he refused to hit below the belt, and when his political friends tried to persuade him to denounce Woodrow Wilson for extravagance during the war he said, "I won't resort to that kind of business; we had to win the war and didn't have time to economize. I don't want to win an election by that kind of a fight."

Soon after he became president he gave a postmastership to an old friend down in Virginia who had come upon misfortune, and when the

local citizens and politicians protested he remarked, "What is the good of being president if you can't take care of a needy friend?"

His first year in the presidential chair started under heavy handicaps. Industry was crushed, unemployment was growing; international relations were hopelessly involved. By the end of the first year he had brought an end to the state of war with Germany and Austria; immigration was restricted by congressional enactment; a budget system was established, and a veterans' bureau coordinating under one head all the activities looking to the welfare of the former service men.

At the conference on the limitation of armaments, he pointed the nations to the way of peace, and invited them to sit at the council table at Washington. Representatives of nine powers entered into an agreement for limiting the number of capital ships, and he induced them to enter a series of treaties designed to prevent trouble in the far east. His sincerity and frankness pointed them to a peace based on justice and righteousness, and the Washington conference on the limitation of armaments was one of the monumental accomplishments of his tenure in office.

Another great achievement was the refunding of the national debt, which worked a substantial reduction from the burdens of the taxpayer.

These works were a small part of the vision for service which he had set out to accomplish, and when the news was flashed across the country, on the night of August second last, that the silver cord had broken, men were brought to the sudden realization of the part he had played in restoring peace and good will among men, and millions of his countrymen stood with bowed heads and paid silent tribute on that last journey across the continent, to one whom they had learned not only to trust, but to love.

Mr. Harding was thoroughly democratic, and it is very significant that he was referred to familiarly by his first name during his tenure of office. He was too big to be petty and too humble before the greatness of his responsibilities to his countrymen to indulge in political by-plays, nor did he bow to the dictates of his party for like reasons. He stood first and foremost for his own country and then for mankind, and in his last speeches (against the advice of his closest political associates) he advocated our participation in the permanent court of international justice, and said: "I do not know that such a court will be unfailing in the avoidance of war, but I know it is a step in the right direction and will prove an advance toward international peace for which the conflictive conscience of mankind is calling." When he was criticised by members of the senate as to his proposals for the creative machinery of the court he said: "I am more interested in adherence to such a tribunal in the best form attainable than I am concerned about the triumph of presidential insistence."

The president was deeply religious and practiced his religion every day of his life. His favorite song was "Lead Kindly Light," and its words fittingly describe his character, always straightforward, taking but one step at a time with no idea that Eutopia could be obtained on earth. His life was the emulation of the admonition spoken two thousand years ago, "Whosoever will be chief among you, let him be your servant."

There are those among us who will not agree with some of his creed, and cannot see the wisdom of certain of his acts, but his bitterest enemies politically, for he had none personally, deeply mourn the loss of a man whom honesty, simple faith, and Godlike devotion to a cause have made a king among men.

As a conspicuous example of what can be accomplished by a boy of lowly birth who struggles for the attainments of high purposes, his name has joined that galaxy of spirits: Lincoln, Garfield and McKinley. His life and attainments will give courage to boys and girls to fight for those accomplishments for which President Harding fought, and his tomb will be a shrine for American homes.

Of a truth, Warren G. Harding walked with kings and was a peer among them, yet he did not lose the common touch, and in the well-chosen words of President Coolidge:

"We mourn him today and shall mourn him as long as remembrance holds before us the picture of his patient forbearance and Christian tolerance. We may well hope that his example to his own countrymen and to the world may help to bring a spirit of charity and true fraternity whereby shall be lighted the lamp of understanding to show our feet into the path of peace on earth, good will to men. We may well consider by what means we shall show our appreciation and by what method we can best enshrine his memory."

#### REMARKS OF HONORABLE E. A. GRIMWOOD

For a gathering of this character there are two entirely adequate reasons. First, that those who are possessed of an almost unbearable sorrow by reason of a personal loss may be assured that, in accordance with the genius of our government, that loss has become a common loss and in the sharing of that loss assert that kinship which gives this republic one reason for existence. And that there are those who would demonstrate that this is in fact as well as name a Christian nation, for, while we as a people have what Oliver Wendell Holmes called our accursed Anglo-Saxon repression which would hide those sentiments most worthy of expression and permit the world to search diligently if it would discover those well springs of action from which we derive the greatest satisfaction, yet there is in us an appreciation of Christian character which will not be denied when occasion really demands it. Your presence here this morning I take as such expression.

Again, ample warrant may be found for this gathering in the opportunity here offered to review this life and its achievements, that we may draw therefrom some lessons that may be of value in directing our own efforts.

This was a man with heart, head, hand, like one of

The simple great ones gone forever and ever by,

A still strong man in a blatant land;

Whatever they call him, what care I?

Aristocrat, autocrat, democrat, one who is brave and dare not lie.

For be it known that Warran G. Harding was no superman. If he excelled in aught it was in having an amazing common sense and none

would have decried more promptly than he any attempt to deify or apotheosize his memory today, but he achieved what he was, by a persistence in those homely virtues which have a place in the lives of all of us. Therefore, I am content today to "sing of one whose brave but kindly heart, met fortune good or fortune ill a-smiling, the weary way by virtue of that art beguiling."

My friends, I cannot conceive it to be other than a work of supererogation for me to weary you with a recital of his wonderful history so like our boyhood heroes from the pen of Alger or Henty, wherein the modestly equipped boyhood is by energy and perseverance converted to the splendors of official life, first, through an economic competence, then through modest tasks well done to the greatest responsibilities of modern life, for other and more graphic tongues than mine have enlarged on that theme and it is familiar to you all, but I do hold that we may well dwell here on two incidents in his career which demonstrate the simple greatness of him; first, that magnificent speech of acceptance wherein he accepted not only the honors but the responsibility laid on his shoulders by the Chicago convention in which he extended the right of fellowship to his companion on the ticket, where by a simple gesture he might almost be said to have created a new department in our government and in that motion elevated the vice-presidency to a position of responsibility in some degree commensurate to its prominence, where he prepared Calvin Coolidge for the burdens he is carrying so nobly today, and I venture to predict that it will be many, many years before again our conception of that office shall recede to its former level.

Again, when at his invitation the world powers sent their delegates to a peace conference, he met them with a statement of his hopes of what might be there accomplished so simply stated that a child might easily understand, and laying a mantle of confidence and responsibility on the worthy shoulders of Mr. Hughes, quietly retired to the duties to which he had been elected, and thus was born the greatest single movement for peace since historic records have been kept.

He was a still, strong man. It is a highly significant fact that notwithstanding he was connected with the publishing business practically all his active life, and we are accustomed to associate that business with the slogan of, "Advertise; say it with ink," etc., yet, in the matter of personal publicity, Harding was a shrinking violet. He rather kept his eye on the task to be done and to that devoted his energies, and his whole life is an illustration of the truism that he serves his country best who serves his neighbor well, and he is most useful to posterity who serves his own time and place.

He seemed to realize, as few do, that the bubble reputation is scarcely worthy of pursuit, but that character, which is built up day by day, is our acquisition, the one thing we take out of this life that we did not bring into it, is the character and personality we have achieved, and with this it is our privilege to live through an eternity.

We are the better that this life was passed  
 Within our sphere; he has not lost in dying  
 On the firm faith that we shall meet at last relying.

We question why the bonds grew firm and strong  
 With which the fates his heart to ours did tether  
 If through the world we might not pass along together.

We're answered, for each severed bond may prove  
 A tendril without which our souls might never  
 Attain the fullness of that broader love forever.

Rhinehart of Dallas moved that the joint convention be now dissolved. Motion prevailed.

#### HOUSE RESUMED SESSION

The House reconvened, Speaker Anderson in the chair.

#### 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 amendment to Senate concurrent resolution No. 4 relating to recess.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 135, a bill for an act to amend, revise, and codify sections thirty-two hundred five (3205) of the compiled code of Iowa, and thirty-two hundred six (3206) of the supplement to said code, relating to the sheriff.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 227, a bill for an act to amend, revise, and codify section seven thousand one hundred forty-eight (7148) of the compiled code of Iowa, relating to the place of bringing actions.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 57, a bill for an act to amend, revise, and codify sections twelve hundred four (1204) to twelve hundred seven (1207), inclusive, and twelve hundred nine (1209) of the compiled code of Iowa, relating to lost property.

Also, that the Senate requests the return of House File No. 10, relating to the attorney general.

L. W. AINSWORTH, *Secretary.*

## SENATE MESSAGES CONSIDERED

Senate File No. 57, a bill for an act to amend, revise, and codify sections twelve hundred four (1204) to twelve hundred seven (1207), inclusive, and twelve hundred nine (1209) of the compiled code of Iowa, relating to lost property.

Read first and second times and referred to committee on judiciary.

Senate File No. 227, a bill for an act to amend, revise, and codify section seven thousand one hundred forty-eight (7148) of the compiled code of Iowa, relating to the place of bringing actions.

Read first and second times and referred to committee on judiciary.

Senate File No. 135, a bill for an act to amend, revise, and codify sections thirty-two hundred five (3205) of the compiled code of Iowa, and thirty-two hundred six (3206) of the supplement to said code, relating to the sheriff.

Read first and second times and referred to committee on county and township organization.

## HOUSE FILE NO. 10 RETURNED TO SENATE

Clark of Linn moved that the request of the Senate be granted for the return to the Senate of House File No. 10.

Motion prevailed.

## AMENDMENT FILED

Parsons of Calhoun filed the following amendment to House File No. 71:

Amend House File No. 71 by inserting in line two (2) of section twelve (12) after the word "to" and before the word "any", the words "the township trustees or to".

On motion of Smith of Lucas the House adjourned until 9 a. m. Saturday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 15, 1923.

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

Prayer was offered by the Rev. F. C. Lebert, pastor of the Friends church, New Providence, Iowa.

Journal of December 14th corrected and approved.

## PETITIONS

Natvig of Howard presented resolutions from citizens of Howard county, urging amendments to House Files Nos. 42 and 92. Referred to committees on labor and state educational institutions, respectively.

Mathews of Des Moines presented a petition from the Farmers Educational and Cooperative Union, Des Moines county, urging the passage of several new measures. Referred to committee on code revision committee.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Edson of Buena Vista for the day, on request of Wilson of Tama; Rumley of Decatur for the day, on request of Gilbert of Marshall; Saunders of Palo Alto for the day, on request of Himebauch of Emmet; Hauge of Polk for the day, on request of Himebauch of Emmet; Graham of Wapello for the day, on request of Rassler of Pocahontas; Potts of Lee for the day, on request of O'Donnell of Dubuque.

## REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 280, a bill for an act to amend, revise, and codify section eighty hundred twenty (8020) of the compiled code of Iowa, relating to garnishment, 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 do pass.

C. F. CLARK, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 39, a bill for an act to amend, revise, and codify section seven hundred four (704) of the compiled code of Iowa, relating to the administration of oaths, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section one (1) by striking out subdivision two (2) thereof and renumbering the remaining subdivisions.

C. F. CLARK, *Chairman.*

Report adopted.

Also :

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 239, a bill for an act to amend, revise, and codify section seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to distribution of intestate property, beg leave they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking out all of said bill after the enacting clause, and inserting in lieu thereof the following:

“That sections seven thousand nine hundred four (7904) and seven thousand nine hundred ten (7910) of the compiled code of Iowa are amended, revised, and codified to read as follows:

Section 1. If the intestate leaves no issue, the whole of the estate to the amount of seventy-five hundred dollars, after the payment of the debts and expenses of administration, and one-half of all of the estate in excess of said seventy-five hundred dollars shall go to the surviving spouse and the other one-half of said excess shall go to the parents. If no spouse, the whole shall go to the parents. In case of an adopted child, the parents by adoption shall inherit as if they were the natural parents.”

Amend the title so that it shall read:

“A bill for an act to amend, revise, and codify sections seven thousand nine hundred four (7904) and seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to the distribution of intestate property.”

C. F. CLARK, *Chairman.*

Report adopted.

Healy of Hancock, 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. 92, a bill for an act to amend, revise, and codify chapters nine (9) and ten (10) of title ten (10) of the compiled code of Iowa, and section two thousand three hundred forty-eight-a one (2348-a1) of the supplement to said code, relating to medical and surgical treatment of indigent 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 amended as follows, and when so amended the bill do pass:

Amend section two (2), line five (5), by inserting after the word "filed" and preceding the period, the following: "with the clerk of the district court in the county where the person resides".

Also, by adding to section 8 after the word "care" in line eleven (11) the following:

"It is provided, however, that no such order shall be made if the court finds that the patient or his parent, parents or guardian are members of a religious denomination whose tenets preclude dependence on the practice of medicine or surgery and desire in good faith to rely upon the practice of their religion for relief from disease or disorder."

E. P. HEALY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on state educational institutions to whom was referred House File No. 93, a bill for an act to amend, revise, and codify sections two thousand three hundred ninety-six (2396), two thousand three hundred ninety-seven (2397) and two thousand four hundred fifteen (2415) of the compiled code of Iowa, relating 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 amended as follows, and when so amended the bill do pass:

Amend section 2 by striking out all of lines one (1), two (2) and that part of line three (3) up to and including the word "admission" and inserting in lieu of the language so stricken out the following:

"Tuition in the various departments of the college shall be in such amount for each semester or other subdivision of the school year as may be fixed and determined from time to time by the state board of education."

E. P. HEALY, *Chairman.*

Report adopted.

#### CONSIDERATION OF BILLS

House File No. 39, a bill for an act to amend, revise, and codify section seven hundred four (704) of the compiled code of Iowa, relating to the administration of oaths, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Clark of Linn, Senate File No. 39 was substituted for House File No. 39.

Senate File No. 39, a bill for an act to amend, revise, and codify section seven hundred four (704) of the compiled code of Iowa, relating to the administration of oaths, with report of committee recommending amendment and passage, was taken up for consideration.

Mr. Clark moved that the committee amendments, as found on page 141 of the Journal of today, be adopted.

Amendments adopted.

Mr. Clark moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lovrien	Rust
Anderson of	Garber of Floyd	Mathews	Sampson
Webster	Gesman	Matthiesen	Schirmer
Blake	Gilbert	Miller	Schulte
Blume	Gilbertson	Moen	Scott of
Bradley	Gilmore	Napier	Appanoose
Brady	Grimwood	Natvig	Scott of Fremont
Brittain	Hattendorf	Noble	Slemmons
Buffington	Healy	O'Donnell	Smith of
Carter	Held	Oliver	Chickasaw
Children	Hempel	Olson	Smith of Lucas
Clark	Henderson	Ontjes	Stock
Colbert	Himebauch	Orr	Stookesberry
Cole	Hollis	Parsons	Storey
Criswell	Huff	Patterson	Strippel
Dewar	King	Peterson	Ulstad
Diltz	Knutson	Powers	Venard
Donhowe	Lake	Quirk	Wamstad
Dooley	Leonard	Rankin	Weber
Doolittle	Letts	Rassler	Wilson
Dotts	Lichty	Rewoldt	Mr. Speaker—87
Fackler	Lieberknecht	Rhinehart	
Forsling	Long	Robson	

The nays were, none.

Absent or not voting:

Berry	Gibson	McClune	Williams
Edge	Graham	Potts	Wolfe
Edson	Hansen	Ramsey	Yenter—21
Elliott	Harrison	Rumley	
Frahm	Hauge	Saunders	
Garber of Adair	Johnson	Vincent	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 78, a bill for an act to amend, revise, and codify chapter three (3) of title twenty-three (23) of the compiled code of Iowa, relating to occupying claimants, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Gesman of Marion the amendments proposed by the committee, found on page 122 of the Journal of December 13th, were adopted.

Mr. Gesman moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gesman	Lovrien	Sampson
Anderson of	Gilbert	Mathews	Schirmer
Webster	Gilbertson	Matthiesen	Schulte
Blake	Gilmore	Miller	Scott of
Blume	Grimwood	Moen	Appanoose
Bradley	Hansen	Napier	Scott of Fremont
Brittain	Harrison	Natvig	Slemmons
Buffington	Hattendorf	Noble	Smith of
Carter	Healy	O'Donnell	Chickasaw
Clark	Held	Oliver	Smith of Lucas
Colbert	Hempel	Olson	Stock
Cole	Henderson	Ontjes	Stookesberry
Criswell	Himebauch	Orr	Storey
Dewar	Hollis	Parsons	Strippel
Diltz	Huff	Patterson	Ulstad
Donhowe	King	Peterson	Venard
Dooley	Knutson	Powers	Wamstad
Doolittle	Lake	Quirk	Weber
Dotts	Leonard	Rassler	Williams
Fackler	Letts	Rewoldt	Wilson
Frahm	Lichty	Rhinehart	Wolfe
Gallagher	Lieberknecht	Robson	Mr. Speaker—88
Garber of Floyd	Long	Rust	

The nays were, none.

Absent or not voting:

Berry	Elliott	Hauge	Rankin
Brady	Forsling	Johnson	Rumley
Children	Garber of Adair	McClune	Saunders
Edge	Gibson	Potts	Vincent
Edson	Graham	Ramsey	Yenter—20

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 272, a bill for an act to amend, revise, and codify section eighty-nine hundred two (8902) of the compiled code of Iowa, relating to corruption in elections, with report of committee recommending amendment and passage, was taken up for consideration.

The amendment filed by Diltz of Polk, found on page 126 of the Journal of December 13th, was taken up and considered.

Mr. Diltz moved the adoption of the amendment proposed by him.

A roll call was demanded.

On the question "Shall the amendment be adopted?"

The ayes were:

Blake	Gallagher	Knutson	Sampson
Brittain	Garber of Adair	Lake	Stock
Cole	Garber of Floyd	O'Donnell	Strippel
Diltz	Gilbert	Patterson	Weber
Dooley	Gilmore	Rankin	Wolfe—26
Doolittle	Grimwood	Rassler	
Dotts	Hansen	Rewoldt	

The nays were:

Anderson of	Hattendorf	Miller	Scott of
Webster	Healy	Moen	Appanoose
Eerry	Held	Napier	Scott of Fremont
Blume	Hempel	Natvig	Slemmons
Bradley	Henderson	Noble	Smith of
Brady	Himebauch	Oliver	Chickasaw
Buffington	Hollis	Olson	Smith of Lucas
Carter	Johnson	Ontjes	Stookesberry
Clark	King	Parsons	Storey
Colbert	Leonard	Peterson	Venard
Criswell	Letts	Powers	Vincent
Dewar	Lichty	Quirk	Wamstad
Donhowe	Lieberknecht	Rhinehart	Williams
Fackler	Long	Robson	Wilson
Frahm	Lovrien	Rust	Mr. Speaker—62
Gilbertson	McClune	Schirmer	
Harrison	Matthiesen		

Absent or not voting:

Aiken	Forsling	Huff	Rumley
Children	Gesman	Mathews	Saunders
Edge	Gibson	Orr	Schulte
Edson	Graham	Potts	Ulstad
Elliott	Hauge	Ramsey	Yenter—20

Amendment lost.

On motion of Bradley of Poweshiek the amendments proposed by the committee, found on page 124 of the Journal of December 13th, were adopted.

Mr. Bradley moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gilbert	Matthiesen	Scott of
Webster	Gilbertson	Miller	Appanose
Berry	Grimwood	Moen	Scott of Fremont
Blume	Harrison	Napier	Slemmons
Bradley	Hattendorf	Natvig	Smith of
Brady	Healy	Noble	Chickasaw
Buffington	Held	Oliver	Smith of Lucas
Carter	Hempel	Olson	Stock
Children	Henderson	Ontjes	Stookesberry
Clark	Himebauch	Orr	Storey
Colbert	Hollis	Parsons	Strippel
Criswell	Huff	Patterson	Venard
Dewar	Johnson	Peterson	Vincent
Donhowe	King	Powers	Wamstad
Dooley	Knutson	Quirk	Weber
Dotts	Leonard	Rassler	Williams
Fackler	Letts	Rhinehart	Wilson
Forsling	Lichty	Robson	Wolfe
Frahm	Lieberknecht	Rust	Mr. Speaker—82
Gallagher	Long	Sampson	
Garber of Floyd	Lovrien	Schirmer	
Gibson	McClune	Schulte	

The nays were:

Blake	Diltz	O'Donnell—5
Brittain	Doolittle	

Absent or not voting:

Aiken	Gesman	Mathews	Saunders
Cole	Gilmore	Potts	Ulstad
Edge	Graham	Ramsey	Yenter—21
Edson	Hansen	Rankin	
Elliott	Hauge	Rewoldt	
Garber of Adair	Lake	Rumley	

So the bill having received a constitutional majority was declared to have passed the House 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 adopted the following joint resolution in which the concurrence of the Senate was asked:

House Joint Resolution No. 2 relating to the selection of additional employees of the special session of the Fortieth General Assembly of the State of Iowa, fixing their compensation, and defining their duties.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 279, a bill for an act to amend, revise, and codify section thirty-two hundred twenty-nine (3229) of the compiled code of Iowa, and section thirty-two hundred twenty-eight (3228) of the supplement to said code, relating to the coroner.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 149, a bill for an act to amend, revise, and codify section thirty-three hundred eighty-five (3385) of the compiled code of Iowa, relating to land surveys.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 173, a bill for an act to amend, revise, and codify sections three thousand nine hundred eighty-seven (3987) and three thousand nine hundred ninety (3990) to three thousand nine hundred ninety-two (3992), inclusive, of the compiled code of Iowa, and sections three thousand nine hundred eighty-two (3982), and three thousand nine hundred eighty-eight (3988) of the supplement to said code, relating to municipal corporations.

Also, 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 amend, revise, and codify sections sixty-three hundred seventeen (6317) to sixty-three hundred thirty-two (6332), inclusive, of the compiled code of Iowa and section sixty-three hundred twenty-seven-a one (6327-a1) of the supplement to said code, relating to chattel mortgages, real estate mortgages creating liens on personal property, and conditional sales of personal property.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 175, a bill for an act to amend, revise, and codify sections four thousand twelve (4012) to four thousand twenty-two (4022), inclusive, of the compiled code of Iowa, relating to municipal corporations.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 148, a bill for an act to amend, revise, and codify chapter twenty (20) of title twelve (12) of the compiled code of Iowa, relating to changing names of villages.

L. W. AINSWORTH, *Secretary*.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Forsling of Woodbury, unanimous consent having been given, House File No. 148, a bill for an act to amend, revise, and codify chapter twenty (20) of title twelve (12) of the compiled code of Iowa, relating to changing names of villages, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend House File No. 148 as follows:

By inserting the word "published" after the word "circulation" in line

2, section 7 thereof.

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Gesman	Mathews	Schirmer
Webster	Gibson	Matthiesen	Schulte
Blake	Gilbertson	Miller	Scott of
Blume	Gilmore	Moen	Appanoose
Bradley	Grimwood	Napier	Scott of Fremont
Brady	Harrison	Natvig	Slemmons
Brittain	Hattendorf	Noble	Smith of
Buffington	Healy	O'Donnell	Chickasaw
Carter	Henderson	Oliver	Smith of Lucas
Clark	Himebauch	Olson	Stock
Colbert	Hollis	Ontjes	Stookesberry
Cole	Huff	Orr	Storey
Criswell	King	Parsons	Strippel
Dewar	Lake	Peterson	Venard
Dooley	Leonard	Powers	Weber
Doolittle	Letts	Quirk	Williams
Dotts	Lichty	Rassler	Wilson
Fackler	Lieberknecht	Rhinehart	Wolfe
Forsling	Long	Robson	Mr. Speaker—79
Gallagher	Lovrien	Rust	
Garber of Adair	McClune	Sampson	

The nays were, none.

Absent or not voting:

Aiken	Frahm	Johnson	Saunders
Berry	Garber of Floyd	Knutson	Ulstad
Children	Gilbert	Patterson	Vincent
Diltz	Graham	Potts	Wamstad
Donhowe	Hansen	Ramsey	Yenter—29
Edge	Hauge	Rankin	
Edson	Held	Rewoldt	
Elliott	Hempel	Rumley	

So the House concurred in the Senate amendments to House File No. 148.

#### SENATE MESSAGES CONSIDERED

Senate File No. 279, a bill for an act to amend, revise, and codify section thirty-two hundred twenty-nine (3229) of the compiled code of Iowa, and section thirty-two hundred twenty-eight (3228) of the supplement to said code, relating to the corner.

Read first and second times and referred to committee on county and township organization.

Senate File No. 149, a bill for an act to amend, revise, and codify section thirty-three hundred eighty-five (3385) of the compiled code of Iowa, relating to land surveys.

Read first and second times and referred to committee on county and township organization.

Senate File No. 175, a bill for an act to amend, revise, and codify sections four thousand twelve (4012) to four thousand twenty-two (4022), inclusive, of the compiled code of Iowa, relating to municipal corporations.

Read first and second times and referred to committee on public utilities.

Senate File No. 173, a bill for an act to amend, revise, and codify sections three thousand nine hundred eighty-seven (3987) and three thousand nine hundred ninety (3990) to three thousand nine hundred ninety-two (3992), inclusive, of the compiled code of Iowa, and sections three thousand nine hundred eighty-two (3982), and three thousand nine hundred eighty-eight (3988) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

Senate File No. 75, a bill for an act to amend, revise, and codify sections sixty-three hundred seventeen (6317) to sixty-three hundred thirty-two (6332), inclusive, of the compiled code of Iowa and section sixty-three hundred twenty-seven-a one (6327-a1) of the supplement to said code, relating to chattel mortgages, real estate mortgages creating liens on personal property, and conditional sales of personal property.

Read first and second times and referred to committee on judiciary.

#### REPORTS OF COMMITTEES

Gibson of Clarke, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 138, a bill for an act to amend, revise and codify chapter ten (10) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to the submission of questions to voters, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House

with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking out all of sections 4, 5, 6, 17 and 18.

D. M. GIBSON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 144, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-two (3342) to thirty-three hundred forty-four (3344), inclusive, thirty-three hundred forty-six (3346) and thirty-three hundred forty-seven (3347) of the compiled code of Iowa, and section thirty-three hundred forty-five (3345) of the supplement to said code, relating to relief for soldiers, sailors and marines, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

D. M. GIBSON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 140, a bill for an act to amend, revise, and codify sections thirty-two hundred seventy-eight (3278), thirty-two hundred seventy-nine (3279), thirty-two hundred eighty-three (3283), thirty-two hundred eighty-seven (3287), thirty-two hundred eighty-nine (3289) and thirty-two hundred ninety-three (3293) of the compiled code of Iowa, relating to the support of the poor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

D. M. GIBSON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 279, a bill for an act to amend, revise, and codify section thirty-two hundred twenty-nine (3229) of the compiled code of Iowa, and section thirty-two hundred twenty-eight (3228) of the supplement to said code, relating to the coroner, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

D. M. GIBSON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 130, a bill for an act to amend, revise,

and codify section thirty-one hundred thirty-one (3131) of the compiled code of Iowa, and sections thirty-one hundred thirty (3130) and thirty-two hundred forty-one-a three (3241-a3) of the supplement to said code, relating to the powers and duties of boards 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.

D. M. GIBSON, *Chairman.*

Report adopted.

AMENDMENT FILED

Gallagher of Iowa filed the following amendment to House File No. 213:

Amend House File No. 213 by inserting after section 1 the following:

Sec. 1-a1. Notice of intention to marry. No marriage license shall be issued unless the parties who intend to be joined in marriage give written notice of such intention at least ten days before the license is issued. Such notice shall be signed by the parties, give the place of residence of each party, the name and address of the person who is to sign the affidavit as to the age and qualification of the parties, and be filed in the office of the clerk of the district court.

Sec. 1-a2. Posting and publication of notice. Upon receipt of said notice the clerk shall forthwith post the same in a conspicuous place at the front door of the courthouse. The clerk shall also cause said notice to be published at once in a newspaper of general circulation in the county of residence of each of the parties residing in this state, but no publication shall be made in case of nonresidents.

Sec. 1-a3. Application for a marriage license. Application for a marriage license must be made at least ten days before the license shall be issued; provided, that in cases of emergency, or extraordinary circumstances, the judge of the court having probate jurisdiction may authorize the license to be issued at any time before the expiration of said ten days.

Sec. 1-a4. Cost of publication. The cost of publication shall be paid from the general fund of the county in which the license is issued.

On motion of Cole of Harrison the House adjourned until 10 a. m. Monday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 17, 1923.

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

Prayer was offered by the Rev. A. W. Armstrong, Perry, Iowa.

Speaker pro tempore Ontjes in the chair.

Journal of December 15th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Gilmore of Cedar for the day, on request of Blake of Fayette; McClune of Mahaska for the day, on request of Bradley of Poweshiek; Forsling of Woodbury for the day, on request of Lake of Woodbury; Saunders of Palo Alto for the day, on request of Himebauch of Emmet; Vincent of Guthrie for the day, on request of Garber of Adair; Potts of Lee for the day, on request of O'Donnell of Dubuque.

## PETITIONS

Wilson of Tama presented resolutions from citizens of Tama county, urging amendments to House Files Nos. 42 and 92. Referred to committees on labor and state educational institutions, respectively.

Robson of Greene presented a resolution from Camp No. 2844, M. W. A., Jefferson, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Leonard of Taylor presented a resolution from Camp No. 1665, M. W. A., Lenox, protesting against any fraternal insurance legislation. Referred to committee on insurance.

## REPORT OF COMMITTEE

Edson of Buena Vista, 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. 119, a bill for an act to amend, revise, and codify chapter three (3) of title eleven (11) of the compiled code of Iowa, relating to the state highway commission and other officers charged with duties relating to 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 do pass.

W. C. EDSON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on roads and highways to whom was referred House File No. 127, a bill for an act to amend, revise, and codify chapter fourteen (14) of title eleven (11) of the compiled code of Iowa, relating to road improvement 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 be amended as follows, and when so amended the bill do pass:

By inserting in line 6 of section 1 the word "same" between the words "the" and "supervision", also by striking out the words "of the highway engineer" in the same line.

Also amend by striking out all following the period after the word "done" in line 7 of section 1.

W. C. EDSON, *Chairman.*

Report adopted.

#### CONSIDERATION OF BILL

House File No. 160, a bill for an act to amend, revise, and codify sections three thousand six hundred eighty-seven (3687), three thousand seven hundred (3700) and three thousand seven hundred three (3703) of the compiled code of Iowa, relating to municipal corporations, with report of committee recommending passage, was taken up for consideration.

Weber of Dubuque moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Buffington	Doolittle	Garber of Adair
Webster	Carter	Dotts	Gesman
Berry	Colbert	Edge	Gibson
Blake	Cole	Edson	Gilbert
Blume	Criswell	Elliott	Gilbertson
Bradley	Dewar	Fackler	Graham
Brady	Diltz	Frahm	Grimwood
Brittain	Donhowe	Gallagher	Hansen

Harrison	Lieberknecht	Patterson	Scott of Fremont
Hattendorf	Long	Peterson	Smith of
Hauge	Lovrien	Quirk	Chickasaw
Healy	Mathews	Rankin	Smith of Lucas
Held	Matthiesen	Rassler	Stock
Hempel	Miller	Rewoldt	Stookesberry
Henderson	Moen	Rhinehart	Storey
Himebauch	Napier	Robson	Strippel
Johnson	Noble	Rumley	Ulstad
King	O'Donnell	Rust	Venard
Knutson	Oliver	Sampson	Wamstad
Lake	Olson	Schirmer	Weber
Leonard	Ontjes	Schulte	Williams
Letts	Orr	Scott of	Wilson
Lichty	Parsons	Appanoose	Wolfe—89

The nays were, none.

Absent or not voting:

Aiken	Dooley	Huff	Ramsey
Anderson of	Forsling	McClune	Saunders
Winnebago	Garber of Floyd	Natvig	Slemmons
Children	Gilmore	Potts	Vincent
Clark	Hollis	Powers	Yenter—19

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### AMENDMENTS FILED

Oliver of Monona filed the following amendments to House File No. 71:

Amend the committee amendments to House File No. 71 by striking out the first paragraph of said amendments and inserting in lieu thereof the following paragraph:

Amend section seven (7), line two (2), by striking out the words "upon unfenced lands and".

Also, further amend said section seven (7), line three (3), by striking the word "or" as it appears after the comma (,) following the word "owner".

Also, amend section seven (7) by striking out the comma following the word "thereon" in line three (3) and inserting a period in lieu thereof, and by striking out all of line four (4).

Doolittle of Delaware filed the following amendment to House File No. 117:

Amend House File No. 117 by adding to the end of section eight (8) thereof the following:

If the two appraisers are unable to agree upon the third appraiser, the board of supervisors shall select such appraiser.

On motion of Rankin of Lee the House adjourned until 10 a. m. Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 18, 1923.

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

Prayer was offered by the Rev. C. E. Burdine, pastor of the M. E. church, Palmer, Iowa.

Journal of December 17th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Elliott of Scott for the forenoon, on request of Hansen of Scott; Potts of Lee for the remainder of the week, on request of O'Donnell of Dubuque.

## PETITIONS

Knutson of Cerro Gordo presented resolutions from Camp No. 5109, Royal Neighbors of America, and Camp No. 5064, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Dotts of Wayne presented resolutions from Camps Nos. 4021 and 258, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Ramsey of Butler presented a petition from voters of Greene, urging the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Matthiesen of Clinton presented a resolution from the city council of Clinton, urging a more equitable distribution of the primary road fund. Referred to committee on roads and highways.

Blume of Crawford presented a resolution from Camp No. 2843,

M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Joint Resolution No. 1

House File No. 61.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### REPORTS OF COMMITTEES

Edson of Buena Vista, 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. 126, a bill for an act to amend, revise and codify chapter thirteen (13) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to the removal of obstructions from public highways and to advertising signs and billboards which obstruct the view of public highways and railway tracks, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

By striking out of line three (3) of section two (2) the word and figures "ten (10)", and inserting in lieu thereof the word and figures "thirty (30)".

Also, by inserting between the words "the" and "erection" in line four (4) of section eleven (11), the following: "person or persons responsible for the".

W. C. EDSON, *Chairman.*

Report adopted.

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 282, a bill for an act to amend, revise, and codify section ninety-four hundred twenty-seven (9427) of the compiled code of Iowa, relating to peremptory challenges in the trial of criminal causes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking out of section one (1) the words "one juror" in line eleven (11), and inserting in lieu thereof the words "two jurors".

C. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 278, a bill for an act to amend, revise, and codify section nine thousand and one (9001) of the compiled code of Iowa, relating to escapes, beg leave to report they have had 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. F. CLARK, *Chairman*.

Report adopted.

#### CONCURRENT RESOLUTION NO. 4

Criswell of Boone filed the following concurrent resolution:

Resolution proposing to memorialize the Congress of the United States to initiate and to pass such legislation as will result in the general prohibition of the issuance of tax-free securities by the United States and the several states.

*Whereas*, There has been issued from time to time by the government of the United States and the several states respectively, and by the various political subdivisions of the respective states, securities wholly or partially exempt from taxation; and,

*Whereas*, The exemption from taxation of such securities is of benefit to but a few of the citizens of the United States, has contributed to the economical unrest throughout the country, and has resulted in depriving the respective taxing districts in the state of Iowa and over the United States of a considerable amount of taxes on property within such taxing districts; therefore,

*Be It Resolved by the House, the Senate concurring*, That we, the General Assembly of the state of Iowa, in special session assembled, do hereby call upon and request the Congress of the United States to immediately initiate and adopt such legislation as will result in the prohibition and curtailment of the issuance of tax-free or partially tax-free securities by the United States, any state or political subdivision of the United States or any state.

That a copy of this resolution be sent to the secretary of the Senate and the chief clerk of the House of Representatives of the Congress of the United States and to the respective members thereof from Iowa.

Laid over under rule 34.

#### CONSIDERATION OF BILLS

House File No. 280, a bill for an act to amend, revise, and codify section eighty hundred twenty (8020) of the compiled

code of Iowa, relating to garnishment, with report of committee recommending passage, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Frahm	Lichty	Sampson
Anderson of Webster	Gallagher	Lieberknecht	Saunders
Berry	Garber of Adair	Long	Schirmer
Blake	Garber of Floyd	Lovrien	Schulte
Blume	Gesman	McClune	Scott of
Bradley	Gibson	Mathews	Appanoose
Brady	Gilbert	Moen	Scott of Fremont
Brittain	Gilmore	Napier	Smith of
Buffington	Graham	Natvig	Chickasaw
Carter	Grimwood	Noble	Smith of Lucas
Children	Hansen	O'Donnell	Stock
Clark	Harrison	Oliver	Storey
Colbert	Hattendorf	Ontjes	Strippel
Cole	Hauge	Orr	Ulstad
Criswell	Healy	Parsons	Venard
Dewar	Hempel	Patterson	Vincent
Diltz	Henderson	Peterson	Wamstad
Donhowe	Himebauch	Powers	Weber
Dooley	Hollis	Quirk	Williams
Doolittle	Huff	Ramsey	Wilson
Dotts	Johnson	Rankin	Wolfe
Edge	King	Rewoldt	Yenter
Edson	Knutson	Rhinehart	Mr. Speaker—98
Fackler	Lake	Robson	
Forsling	Leonard	Rumley	
	Letts	Rust	

The nays were:

Miller	Slemmons	Stookesberry—3
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Absent or not voting:

Elliott	Held	Olson	Rassler—7
Gilbertson	Matthiesen	Potts	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 239, a bill for an act to amend, revise, and codify section seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to distribution of intestate property, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Grimwood of Jones the amendments proposed by the committee, found on page 141 of the Journal of December 15th, were adopted.

Mr. Grimwood moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Garber of Floyd	Long	Sampson
Webster	Gesman	Lovrien	Saunders
Berry	Gibson	McClune	Schirmer
Blake	Gilbert	Mathews	Schulte
Blume	Gilbertson	Matthiesen	Scott of
Bradley	Gilmore	Miller	Appanoose
Brady	Graham	Moen	Scott of Fremont
Brittain	Grimwood	Napier	Slemmons
Buffington	Hansen	Natvig	Smith of
Children	Harrison	Noble	Chickasaw
Clark	Hattendorf	O'Donnell	Smith of Lucas
Colbert	Hauge	Oliver	Stock
Cole	Healy	Ontjes	Stookesberry
Dewar	Hempel	Orr	Storey
Diltz	Henderson	Parsons	Strippel
Donhowe	Himebauch	Patterson	Ulstad
Dooley	Hollis	Peterson	Venard
Doolittle	Huff	Powers	Vincent
Dotts	Johnson	Quirk	Wamstad
Edge	King	Ramsey	Weber
Edson	Knutson	Rankin	Wilson
Fackler	Lake	Rewoldt	Yenter
Forsling	Leonard	Rhinehart	Mr. Speaker—98
Frahm	Letts	Robson	
Gallagher	Lichty	Rumley	
Garber of Adair	Lieberknecht	Rust	

The nays were, none.

Absent or not voting:

Aiken	Elliott	Potts	Wolfe—10
Carter	Held	Rassler	
Criswell	Olson	Williams	

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

On request of Gibson of Clarke, unanimous consent having been obtained, House File No. 130 was ordered rereferred to the committee on county and township organization.

House File No. 138, a bill for an act to amend, revise, and codify chapter ten (10) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to the submission of questions to voters, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Venard of Sioux the amendments proposed by the committee, found on pages 149 and 150 of the Journal of December 15th, were adopted.

Mr. Venard moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Frahm	Lichty	Rumley
Anderson of	Gallagher	Lieberknecht	Rust
Webster	Garber of Adair	Long	Sampson
Berry	Garber of Floyd	Lovrien	Saunders
Blake	Gesman	McClune	Schirmer
Blume	Gibson	Mathews	Schulte
Bradley	Gilbert	Matthiesen	Scott of
Brady	Gilbertson	Miller	Appanoose
Brittain	Gilmore	Moen	Scott of Fremont
Buffington	Graham	Napier	Slemmons
Carter	Grimwood	Natvig	Smith of
Children	Harrison	Noble	Chickasaw
Clark	Hattendorf	O'Donnell	Smith of Lucas
Colbert	Hauge	Oliver	Stock
Cole	Healy	Ontjes	Stookesberry
Criswell	Hempel	Orr	Storey
Dewar	Henderson	Parsons	Strippel
Diltz	Himebauch	Patterson	Ulstad
Donhowe	Hollis	Peterson	Venard
Dooley	Huff	Powers	Vincent
Doolittle	Johnson	Quirk	Wamstad
Dotts	King	Ramsey	Weber
Edge	Knutson	Rankin	Williams
Edson	Lake	Rewoldt	Wilson
Fackler	Leonard	Rhinehart	Wolfe
Forsling	Letts	Robson	Yenter
			Mr. Speaker—102

The nays were, none.

Absent or not voting:

ElMott	Held	Potts
Hansen	Olson	Rassler—6

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 140, a bill for an act to amend, revise, and codify sections thirty-two hundred seventy-eight (3278), thirty-two hundred seventy-nine (3279), thirty-two hundred eighty-three (3283), thirty-two hundred eighty-seven (3287), thirty-two hundred eighty-nine (3289) and thirty-two hundred ninety-three (3293) of the compiled code of Iowa, relating to the support of the poor, with report of committee recommending passage, was taken up for consideration.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend House File No. 140 by striking out subsection five (5) of section six (6) and by renumbering subsection six (6) of said section.

Amendment adopted.

Powers of Page moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Adair	Long	Rust
Anderson of	Garber of Floyd	Lovrien	Sampson
Webster	Gesman	McClune	Saunders
Berry	Gibson	Mathews	Schirmer
Blake	Gilbert	Matthiesen	Schulte
Blume	Gilbertson	Miller	Scott of
Bradley	Gilmore	Moen	Appanoose
Brady	Graham	Napier	Scott of Fremont
Brittain	Grimwood	Natvig	Slemmons
Buffington	Harrison	Noble	Smith of
Carter	Hattendorf	O'Donnell	Chickasaw
Children	Hauge	Oliver	Smith of Lucas
Clark	Healy	Olson	Stock
Colbert	Hempel	Ontjes	Stookesberry
Cole	Henderson	Orr	Storey
Criswell	Himebauch	Parsons	Strippel
Dewar	Hollis	Patterson	Ulstad
Diltz	Huff	Peterson	Venard
Dooley	Johnson	Powers	Vincent
Doolittle	King	Quirk	Wamstad
Dotts	Knutson	Ramsey	Weber
Edson	Lake	Rankin	Williams
Fackler	Leonard	Rewoldt	Wilson
Forsling	Letts	Rhinehart	Yenter
Frahm	Lichty	Robson	Mr. Speaker—100
Gallagher	Lieberknecht	Rumley	

The nays were, none.

Absent or not voting:

Donhowe	Elliott	Held	Rassler
Edge	Hansen	Potts	Wolfe—8

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill and joint resolution:

House File No. 61.

House Joint Resolution No. 1.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully report that they have, on this 18th day of December, 1923, sent to the governor for his approval, House File No. 61 and House Joint Resolution No. 1.

C. F. LETTS, *Chairman.*

Report 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 refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File No. 39, a bill for an act to amend, revise, and codify section seven hundred four (704) of the compiled code of Iowa, relating to the administration of oaths.

Also, 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 to amend, revise, and codify section eighty-one hundred sixty-eight (8168) of the compiled code of Iowa, relating to the release of common law or statutory liens on personal property.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 241, a bill for an act to amend, revise, and codify sections eight thousand one hundred sixty (8160), eight thousand one hundred sixty-one (8161), eight thousand one hundred sixty-six (8166), and eight thousand one hundred seventy-eight (8178) of the compiled code of Iowa, relating to foreclosure and release of mortgages, and sales under pledge.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 10, a bill for an act to amend, revise, and codify chapter six (6) of title two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS

**Amend House File No. 10 as follows:**

**Amend section 6 by adding at the end thereof the following:**

"Such expenses shall be payable out of any funds in the state treasury not otherwise appropriated."

**Also add to said bill the following as section 7:**

"Sec. 7. There is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, annually an amount sufficient to pay the salaries and expenses provided for in this act."

**Amend the title by striking the period (.) at the end and adding the following: "and making an appropriation for the expenses provided."**

#### SENATE MESSAGES CONSIDERED

Senate File No. 241, a bill for an act to amend, revise, and codify sections eight thousand one hundred sixty (8160), eight thousand one hundred sixty-one (8161), eight thousand one hundred sixty-six (8166), and eight thousand one hundred seventy-eight (8178) of the compiled code of Iowa, relating to foreclosure and release of mortgages, and sales under pledge.

Read first and second times and referred to committee on judiciary.

Senate File No. 273, a bill for an act to amend, revise, and codify section eighty-one hundred sixty-eight (8168) of the compiled code of Iowa, relating to the release of common law or statutory liens on personal property.

Read first and second times and referred to committee on judiciary.

#### HOUSE INSISTS UPON AMENDMENTS TO SENATE FILE NO. 39

Clark of Linn moved that the House insist upon its amendments to Senate File No. 39.

Motion prevailed.

#### AMENDMENTS FILED

Forsling of Woodbury filed the following amendment to House File No. 158:

Amend House File No. 158 by striking therefrom all of section twelve (12).

Wamstad of Mitchell filed the following amendment to House File No. 117, as a substitute for the amendment filed by Doolittle of Delaware, found on page 154 of the Journal of December 17th :

Amend House File No. 117 by adding to section eight (8) the following: "If the two appraisers selected shall fail within ten days to select a third, then the board of supervisors shall select the third appraiser."

McClune of Mahaska filed the following amendment to House File No. 71:

Amend House File No. 71 by striking out all of section two (2) and substituting in lieu thereof the following:

"All animals shall be restrained by the owners thereof from running at large."

Also amend section fifty-six (56) by striking out all of said section and substituting in lieu thereof the following:

"Such application for license may be made after January fifteenth, and at any time for a license for a dog which has come into the possession or ownership of the applicant, or which has reached the age of three months, after said date."

Amend section fifty-seven (57) by striking out all of said section and substituting in lieu thereof the following:

"Such application shall be in writing on blanks provided by the county auditor and shall state the breed, sex, age, color, markings and name, if any, of the dog, and the signature and address of the owner."

Clark of Linn filed the following amendment to House File No. 144:

Amend House File No. 144 by striking out of lines 2 and 3 in section 8, the words "and apart from the grave of paupers", and inserting in lieu thereof the following: "and not in any cemetery or part thereof used exclusively for the burial of the pauper dead".

Also, by striking out of line 5 in said section 8, the word "aforesaid".

Clark of Linn filed the following amendment to House File No. 213:

Amend section eight (8) of House File No. 213, by striking out the period (.) at the end of line 2, and inserting in lieu the following: ", and females, after reaching the age of eighteen (18) years, may make valid contracts for marriage the same as adults."

On motion of Mathews of Des Moines the House adjourned until 9:45 a. m. Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 19, 1923.

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

Prayer was offered by the Rev. A. C. Grafton, pastor of the Presbyterian church, Middletown, Iowa.

Journal of December 18th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Colbert of Union for the forenoon, on request of Napier of Ringgold; Storey of Warren for the day, on request of Powers of Page.

## PETITIONS

Quirk of Sac presented a resolution from the city council of Sac City, urging a more equitable distribution of the primary road fund. Referred to committee on roads and highways.

Slemmons of Buchanan presented a resolution from the city council of Independence, urging a more equitable distribution of the primary road fund. Referred to committee on roads and highways.

## REPORTS OF COMMITTEES

Gibson of Clarke, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 149, a bill for an act to amend, revise, and codify section thirty-three hundred eighty-five (3385) of the compiled code of Iowa, relating to land surveys, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

D. M. GIBSON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 276, a bill for an act to amend, revise, and codify chapter twenty-four-a (24-a) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theaters, pool and billiard rooms and bowling alleys, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Strike out section one (1) and insert in lieu thereof the following:

Section 1. Operation outside cities and towns. No person shall, for himself or for any other person, firm or corporation, keep or operate for hire or for profit any theater, moving picture show, pool or billiard room or table, dance hall, skating rink, club house, road house, amusement park or bowling alley, outside the limits of cities and towns without first procuring a license therefor from the township trustees.

Also amend by adding after section 4 the following:

Sec. 5. Revocation. The trustees may at any time, in their discretion, revoke any license issued. In case a license is revoked the licensee shall be repaid a pro rata part of the license fee. All license fees received under provisions of this act shall be paid into the township road fund.

Also amend the title by striking out all after the word "Iowa," in line three (3) and insert in lieu thereof the following: "relating to theaters, moving picture show, pool or billiard room or table, dance hall, skating rink, club house, road house, amusement park or bowling alleys."

D. M. GIBSON, *Chairman.*

Report adopted.

Forsling 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. 173, a bill for an act to amend, revise, and codify sections three thousand nine hundred eighty-seven (3987) and three thousand nine hundred ninety (3990) to three thousand nine hundred ninety-two (3992), inclusive, of the compiled code of Iowa, and sections three thousand nine hundred eighty-two (3982), and three thousand nine hundred eighty-eight (3988) of the supplement to said code, relating to municipal 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 do pass.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on municipal corporations to whom was referred House File No. 155, a bill for an act to amend, revise, and codify

chapter five (5) of title thirteen (13) of the compiled code of Iowa and of the supplement to said code, and section forty-two hundred thirty-two (4232) of the compiled code of Iowa, and sections forty-two hundred ninety-seven-a one (4297-a1) to forty-two hundred ninety-seven-a nineteen (4297-a19), inclusive, of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

1. By inserting before the word "assessor" in the third line of section 5 the following: "assistant solicitors,"

2. By striking subsection 4 of section 5 and inserting in lieu thereof the following:

"4. Secretary to the mayor, city commissioner, or city manager."

3. By striking from lines 2 and 3 of section 21 the following: "the very right thereof, and its decision shall be final.", and inserting in lieu thereof: "its merits."

L. B. FORSLING, *Chairman*.

Report adopted.

Ulstad of Wright, from the committee on labor, submitted the following report:

MR. SPEAKER: Your committee on labor to whom was referred House File No. 194, a bill for an act to amend, revise and codify section fifty hundred ninety (5090) of the compiled code of Iowa, relating to liability for negligence of employees and contracts of insurance relief, benefit or indemnity between railway corporations and their employees in case of injury or death, 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.

OSCAR ULSTAD, *Chairman*.

Report adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Joint Resolution No. 2 and House File No. 148.

C. F. LETTS, *Chairman House Committee*.

F. C. GILCHRIST, *Chairman Senate Committee*.

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the

House, he had signed in the presence of the House, the following bill and House joint resolution:

House File No. 148.

House Joint Resolution No. 2.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE FILE  
NO. 39

As a conference committee on Senate File No. 39, the Speaker appointed the following members on the part of the House: Harrison of Pottawattamie, Garber of Adair, Storey of Warren and Yenter of Johnson.

CONCURRENT RESOLUTION NO. 4 CONSIDERED

Criswell of Boone called up House concurrent resolution No. 4, memorializing congress to legislate against tax-free securities, as found on page 157 of the House Journal of December 18th, and moved its adoption.

A roll call was demanded.

On the question "Shall the concurrent resolution be adopted?"

The ayes were:

Anderson of	Gibson	Lovrien	Saunders
Webster	Gilbert	Matthiesen	Schirmer
Berry	Gilbertson	Moen	Schulte
Blake	Gilmore	Napier	Scott of
Blume	Graham	Natvig	Appanoose
Bradley	Grimwood	Noble	Scott of Fremont
Brady	Harrison	O'Donnell	Slemmons
Brittain	Hattendorf	Oliver	Smith of
Carter	Hauge	Olson	Chickasaw
Children	Healy	Ontjes	Smith of Lucas
Criswell	Held	Orr	Stock
Dewar	Hempel	Parsons	Stookesberry
Donhowe	Henderson	Patterson	Strippel
Dooley	Himebauch	Peterson	Ulstad
Edge	Huff	Powers	Venard
Edson	Johnson	Quirk	Wamstad
Fackler	King	Ramsey	Weber
Forsling	Knutson	Rassler	Williams
Frahm	Lake	Rewoldt	Wilson
Gallagher	Leonard	Robson	Wolfe
Garber of Adair	Letts	Rumley	Mr. Speaker—87
Garber of Floyd	Lieberknecht	Rust	
Gesman	Long	Sampson	

The nays were:

Elliott Rankin—2

Absent or not voting:

Aiken	Diltz	Lichty	Rhinehart
Buffington	Doolittle	McClune	Storey
Clark	Dotts	Mathews	Vincent
Colbert	Hansen	Miller	Venter—19
Cole	Hollis	Potts	

The concurrent resolution was adopted.

#### INTRODUCTION OF BILL

House File No. 286, by Lichty of Black Hawk, a bill for an act to legalize the acts of the board of directors of the independent school district of Waterloo, Iowa, in estimating the amount required for the general fund for the school year 1923-1924, and the certification thereof to the board of supervisors of Black Hawk county, Iowa, and the levy thereof by said board of supervisors.

Read first and second times and referred to committee on judiciary.

#### HOUSE BILLS REREFERRED

Patterson of Kossuth made the following motion:

MR. SPEAKER: I move to rerefer all odd-numbered code commissioners' bills now on the House calendar to the committees from which they were reported, and to instruct the several committees of the House to defer reporting odd-numbered bills out for passage until final action on them has been taken by the Senate.

Motion prevailed.

On request of Clark of Linn, unanimous consent having been obtained, House File No. 213 was ordered to be retained on the House calendar.

#### 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 resolution, in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 6, resolution extending an invitation to Honorable Wm. A. Hough, chairman of the Indiana tax board to address the General Assembly at 2 p. m. on Thursday, December 20th.

L. W. AINSWORTH, *Secretary*.

#### SENATE CONCURRENT RESOLUTION NO. 6

Whereas, The Honorable Wm. A. Hough, chairman of the Indiana tax board, is to speak in Davenport before the Iowa Realtors Association on the subject of Budget Legislation in Indiana; therefore,

*Be It Resolved by the Senate, the House concurring, That Judge Hough be invited to address the members of the General Assembly at 2:00 p. m. on Thursday, December 20th.*

Moen of Lyon asked unanimous consent to suspend the rule prohibiting the consideration of the above concurrent resolution at this time.

Objection was made by Berry of Monroe.

Moen of Lyon moved that the rule be suspended.

By unanimous consent Mr. Moen withdrew the motion.

Hansen of Scott moved that rule 63 be suspended for the remainder of the forenoon. Motion prevailed.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Miller of Shelby for the remainder of the day, on request of Criswell of Boone.

#### CONSIDERATION OF BILLS

House File No. 158, a bill for an act to amend, revise, and codify sections three thousand five hundred ninety-two (3592) to three thousand five hundred ninety-four (3594), inclusive, three thousand five hundred ninety-nine (3599) to three thousand six hundred two (3602), inclusive, three thousand six hundred five (3605) to three thousand six hundred twelve (3612), inclusive, three thousand six hundred twenty (3620), three thousand six hundred twenty-two (3622), three thousand six hundred twenty-three (3623), three thousand six hundred twenty-five (3625), three thousand six hundred twenty-six (3626), three thousand six hundred forty-two (3642) to three thousand six hundred forty-four (3644), inclusive, three thousand six hundred forty-seven (3647) to three thousand six hundred fifty-two (3652), inclusive, three thousand six hundred fifty-six (3656), three thousand six hundred fifty-nine (3659), and three thousand six hundred sixty-one (3661) to three thousand six hundred sixty-three (3663), inclusive, of the compiled code of Iowa, and section three thousand six hundred sixty (3660) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Forsling of Woodbury, the amendments proposed

by the committee, found on pages 109 and 110 of the Journal of December 12th, were adopted.

The amendment filed by Forsling of Woodbury, found on page 164 of the Journal of December 18th, was taken up and considered.

Mr. Forsling moved that the amendment be adopted. Motion prevailed.

Children of Pottawattamie moved that further action on House File No. 158 be deferred.

Motion prevailed.

By unanimous consent, House File No. 278, a bill for an act to amend, revise, and codify section nine thousand and one (9001) of the compiled code of Iowa, relating to escapes, with report of committee recommending passage, was taken up for consideration.

Grimwood of Jones moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Floyd	Lieberknecht	Rust
Anderson of	Gesman	Long	Sampson
Webster	Gibson	Lovrien	Saunders
Berry	Gilbert	McClune	Schirmer
Blake	Gilbertson	Mathews	Schulte
Blume	Gilmore	Matthiesen	Scott of
Brittain	Graham	Moen	Appanoose.
Buffington	Grimwood	Napier	Scott of Fremont
Carter	Hansen	Natvig	Slemmons
Children	Harrison	Noble	Smith of
Clark	Hattendorf	O'Donnell	Chickasaw
Cole	Healy	Oliver	Smith of Lucas
Criswell	Held	Ontjes	Stock
Dewar	Hempel	Orr	Stookesberry
Diltz	Henderson	Parsons	Strippel
Donhowe	Himebauch	Patterson	Ulstad
Dooley	Hollis	Peterson	Venard
Dotts	Huff	Powers	Vincent
Edge	Johnson	Quirk	Wamstad
Edson	King	Ramsey	Weber
Elliott	Knutson	Rankin	Williams
Fackler	Lake	Rassler	Wilson
Forsling	Leonard	Rewoldt	Wolfe
Gallagher	Letts	Rhinehart	Yenter
Garber of Adair	Lichty	Robson	Mr. Speaker—97

The nays were, none.

## Absent or not voting:

Bradley	Doolittle	Miller	Rumley
Brady	Frahm	Olson	Storey—11
Colbert	Hauge	Potts	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## PROOF OF PUBLICATION OF HOUSE FILE NO. 286

The official proof of publication of House File No. 286, a bill for an act to legalize the acts of the board of directors of the Independent School District of Waterloo, Iowa, in estimating the amount required for the general fund, for the school year 1923-1924, and the certification thereof to the board of supervisors of Black Hawk county, Iowa, and the levy thereof by said board of supervisors, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this nineteenth day of December, 1923, sent to the governor for his approval: House Joint Resolution No. 2 and House File No. 148.

C. F. LETTS, *Chairman.*

Report adopted.

## MOTION TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: I move to reconsider the vote by which the motion made by Patterson of Kossuth, on December 19, 1923, providing for the referring to committees of all odd numbered bills on the calendar, passed the House.

ALFRED WILLIAMS.

I second the motion:

R. O. GARBER.

H. C. DEWAR.

## AMENDMENT FILED

Clark of Linn filed the following amendment to House File No. 10:

Amend the Senate amendment to House File No. 10, by striking out of line three (3), in section seven (7) thereof, the words "salaries and".

On motion of Frahm of Carroll the House adjourned until 10 a. m. Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 20, 1923.

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

Prayer was offered by the Rev. Arthur R. Oates, pastor of the Presbyterian church, Washington, Iowa.

Journal of December 19th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Ramsey of Butler for the remainder of the week, on request of Blake of Fayette; Doolittle of Delaware for the remainder of the week, on request of Slemmons of Buchanan; Scott of Appanoose indefinitely, on request of Ulstad of Wright; Peterson of Henry for the remainder of the week, on request of Saunders of Palo Alto; Moen of Lyon for the remainder of the week, on request of Held of Plymouth; Colbert of Union for the remainder of the week, on request of Napier of Ringgold; Miller of Shelby for the remainder of the week, on request of Criswell of Boone; Weber of Dubuque indefinitely, on account of illness, on request of O'Donnell of Dubuque.

## PETITIONS

Gilbert of Marshall presented a petition from residents of Marshall county, urging the passage of the bill placing the system of education exclusively under the superintendent of public instruction. Referred to committee on schools and textbooks.

Orr of Keokuk presented a resolution from Camp No. 248, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Rassler of Pocahontas presented a resolution from Camp No. 609, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Lake of Woodbury presented a resolution from Royal Neighbors of America at Sioux City, Merville and Bronson, protesting against

any fraternal insurance legislation. Referred to committee on insurance.

Noble of Muscatine presented a resolution from citizens of Muscatine, urging amendments to House File No. 42. Referred to committee on labor.

Frahm of Carroll presented a resolution from Camp No. 1771, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

#### REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 286, a bill for an act to legalize the acts of the board of directors of the independent school district of Waterloo, Iowa, in estimating the amount required for the general fund for the school year 1923-1924, and the certification thereof to the board of supervisors of Black Hawk County, Iowa, and the levy thereof by said 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.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 284, a bill for an act to legalize an election held in the incorporated town of Oakland, Iowa, and the issuance and sale of bonds by said town pursuant 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.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 74, a bill for an act to amend, revise, and codify chapter nine (9) of title twenty-one (21) of the compiled code of Iowa, relating to limited partnership, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House

with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Strike out the first four lines of section 2, and insert in lieu thereof the following:

"Two (2) or more persons desiring to form a limited partnership shall sign and acknowledge a certificate and file the same for record in the office of the county recorder of the county in which the principal place of business is located. The same shall be recorded in the miscellaneous records and indexed in the names of all the signers, both as grantors and grantees. Said certificate shall state:"

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 284, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of 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.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 227, a bill for an act to amend, revise, and codify section seven thousand one hundred forty-eight (7148) of the compiled code of Iowa, relating to the place of bringing 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 amended as follows, and when so amended the bill do pass:

Amend by striking out of line 3, the following: "improvement," after the word "highway" as inserted by the Senate amendment.

Amend by striking out of line 3, the words inserted by the Senate amendment "or for any breach of".

Amend line 5 by striking out the words "work thereof" and inserting in lieu thereof the following: "contract or work thereunder".

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 286, a bill for an act to legalize an election held in the independent school district of Council Bluffs, in the county of Pottawattamie, state of Iowa, and the issuance and sale of bonds by said school district pursuant 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.

C. F. CLARK, *Chairman.*

Report adopted.

#### CONSIDERATION OF BILLS

By unanimous consent, House File No. 286, a bill for an act to legalize the acts of the board of directors of the independent school district of Waterloo, Iowa, in estimating the amount required for the general fund for the school year 1923-1924, and the certification thereof to the board of supervisors of Black Hawk county, Iowa, and the levy thereof by said board of supervisors, with report of committee recommending passage, was taken up for consideration.

Vincent of Guthrie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Forsling	Letts	Rust
Webster	Gallagher	Lichty	Sampson
Berry	Garber of Adair	Lieberknecht	Saunders
Blake	Garber of Floyd	Long	Schirmer
Blume	Gibson	Lovrien	Schulte
Bradley	Gilbertson	McClune	Scott of Fremont
Brady	Gilmore	Mathews	Slemmons
Brittain	Graham	Matthiesen	Smith of
Buffington	Grimwood	Napier	Chickasaw
Carter	Hansen	Natvig	Smith of Lucas
Children	Harrison	Noble	Stock
Clark	Hiattendorf	O'Donnell	Stookesberry
Cole	Healy	Olson	Storey
Criswell	Held	Orr	Strippel
Dewar	Hempel	Parsons	Ulstad
Diltz	Henderson	Patterson	Venard
Donhowe	Hollis	Powers	Vincent
Dooley	Huff	Quirk	Wamstad
Dotts	Johnson	Rankin	Williams
Edge	King	Rassler	Wilson
Edson	Knutson	Rewoldt	Wolfe
Elliott	Lake	Rhinehart	Mr. Speaker—89
Fackler	Leonard	Robson	

The nays were, none.

Absent or not voting:

Alken	Gilbert	Oliver	Rumley
Colbert	Hauge	Ontjes	Scott of
Doolittle	Himebauch	Peterson	Appanoose
Frahm	Miller	Potts	Weber
Gosman	Moen	Ramsey	Yenter—19

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

By unanimous consent, House File No. 284, a bill for an act to legalize an election held in the incorporated town of Oakland, Iowa, and the issuance and sale of bonds by said town pursuant thereto, with report of committee recommending passage, was taken up for consideration.

Harrison of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lichty	Robson
Anderson of	Garber of Adair	Lieberknecht	Rust
Webster	Garber of Floyd	Long	Sampson
Berry	Gibson	Lovrien	Saunders
Blake	Gilbertson	McClune	Schirmer
Blume	Gilmore	Mathews	Schulte
Brady	Graham	Matthiesen	Scott of Fremont
Brittain	Grimwood	Napier	Slemmons
Buffington	Hansen	Natvig	Smith of
Carter	Harrison	Noble	Chickasaw
Children	Hattendorf	O'Donnell	Smith of Lucas
Cole	Healy	Oliver	Stock
Criswell	Held	Olson	Stookesberry
Diltz	Hempel	Ontjes	Storey
Donhowe	Henderson	Orr	Strippel
Dooley	Hollis	Parsons	Ulstad
Dotts	Huff	Patterson	Venard
Edge	Johnson	Powers	Vincent
Edson	King	Quirk	Wamstad
Elliott	Knutson	Rankin	Williams
Fackler	Lake	Rassler	Wilson
Forsling	Leonard	Rewoldt	Wolfe
Frahm	Letts	Rhinehart	Mr. Speaker—90

The nays were, none.

Absent or not voting:

Bradley	Gesman	Moen	Scott of
Clark	Gilbert	Peterson	Appanoose
Colbert	Hauge	Potts	Weber
Dewar	Himebauch	Ramsey	Yenter—18
Doolittle	Miller	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File No. 239.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Clark of Linn, unanimous consent having been given, House File No. 10, a bill for an act to amend, revise, and codify chapter six (6) of title two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general, with Senate amendments, was taken up and the amendments read and considered.

The amendment filed by Clark of Linn, found on pages 172 and 173 of the House Journal of December 19th, to the Senate amendments, found on page 163 of the House Journal of December 18th, was taken up and considered.

Mr. Clark moved the adoption of the amendment to the Senate amendments.

Ulstad of Wright moved that House File No. 10 be referred to the committee on appropriations.

Mr. Speaker ruled that the motion to refer, under the present status of the bill, was out of order.

The amendment by Clark of Linn to the Senate amendments was adopted.

Mr. Clark moved that the House concur in the Senate amendments, as amended.

On the question "Shall the House concur?"

The ayes were:

Bradley  
Brittain  
Buffington  
Clark  
Cole  
Dewar

Diltz  
Donhowe  
Edge  
Edson  
Elliott  
Forsling

Gallagher  
Garber of Adair  
Gilbert  
Gilmore  
Grimwood  
Hansen

Hauge  
Healy  
Held  
Hempel  
Himebauch  
Hollis

Johnson	McClune	Sampson	Strippel
Knutson	O'Donnell	Saunders	Vincent
Lake	Oliver	Schirmer	Wamstad
Letts	Powers	Schulte	Williams
Lichty	Rankin	Scott of Fremont	Wilson
Lieberknecht	Rhinehart	Smith of	Yenter—53
Long	Robson	Chickasaw	
Lovrien	Rust	Stock	

The nays were:

Aiken	Dotts	Mathews	Rassler
Anderson of	Frahm	Matthiesen	Rewoldt
Webster	Garber of Floyd	Napier	Rumley
Berry	Gibson	Natvig	Slemmons
Blake	Gilbertson	Noble	Smith of Lucas
Blume	Graham	Olson	Stookesberry
Brady	Hattendorf	Ontjes	Storey
Carter	Henderson	Orr	Ulstad
Children	Huff	Parsons	Venard
Criswell	King	Patterson	Wolfe
Dooley	Leonard	Quirk	Mr. Speaker—43

Absent or not voting:

Colbert	Harrison	Potts	Weber—12
Doolittle	Miller	Ramsey	
Fackler	Moen	Scott of	
Gesman	Peterson	Appanoose	

The amendments having failed to receive a constitutional majority, the House refused to concur.

#### 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. 239, a bill for an act to amend, revise, and codify section seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to distribution of intestate property.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 139, a bill for an act to amend, revise, and codify chapter eleven (11) of title twelve (12) of the compiled code of Iowa and of the supplement to said code, relating to county bonds.

Also, 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 to amend, revise, and codify sections eight thousand four hundred seventy-eight (8478) and eight thousand four hundred seventy-nine (8479) of the compiled code of Iowa, relating to the clerk of the supreme court.

Also, 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, revise, and codify chapter fifteen (15) of title two (2) of the supplement to the compiled code of Iowa, relating to deputies for certain state officers.

Also, 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 to repeal paragraphs twenty-three (23) and twenty-four (24) of section sixty-nine hundred eighty-two (6982) of the supplement to the compiled code of Iowa, relating to the fees chargeable by the clerk of the district court.

Also, 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 to amend, revise, and codify sections three thousand seven hundred seventy-nine (3779) to three thousand seven hundred eighty-one (3781), inclusive, of the compiled code of Iowa, relating to municipal corporations.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 33, a bill for an act to amend, revise, and codify section 638 of the compiled code of Iowa, relating to the release of sureties on bonds required by law.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 35, a bill for an act to amend, revise, and codify sections six hundred sixty-eight (668) and six hundred seventy-one (671) of the compiled code of Iowa, relating to vacancies in office.

Also, 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, revise, and codify sections thirty-one hundred eighty (3180) and thirty-one hundred eighty-six (3186) of the compiled code of Iowa, relating to county recorders.

Also, 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 to amend, revise, and codify chapter seventeen (17) of title twelve (12) of the compiled code of Iowa, relating to official newspapers.

L. W. AINSWORTH, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 145, a bill for an act to amend, revise, and codify chapter seventeen (17) of title twelve (12) of the compiled code of Iowa, relating to official newspapers.

Read first and second times and referred to committee on printing.

Senate File No. 133, a bill for an act to amend, revise, and codify sections thirty-one hundred eighty (3180) and thirty-one hundred

eighty-six (3186) of the compiled code of Iowa, relating to county recorders.

Read first and second times and referred to committee on county and township organization.

Senate File No. 35, a bill for an act to amend, revise, and codify sections six hundred sixty-eight (668) and six hundred seventy-one (671) of the compiled code of Iowa, relating to vacancies in office.

Read first and second times and referred to committee on elections.

Senate File No. 33, a bill for an act to amend, revise, and codify section 638 of the compiled code of Iowa, relating to the release of sureties on bonds required by law.

Read first and second times and referred to committee on elections.

Senate File No. 17, a bill for an act to amend, revise, and codify chapter fifteen (15) of title two (2) of the supplement to the compiled code of Iowa, relating to deputies for certain state officers.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 167, a bill for an act to amend, revise, and codify sections three thousand seven hundred seventy-nine (3779) to three thousand seven hundred eighty-one (3781), inclusive, of the compiled code of Iowa, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

Senate File No. 267, a bill for an act to repeal paragraphs twenty-three (23) and twenty-four (24) of section sixty-nine hundred eighty-two (6982) of the supplement to the compiled code of Iowa, relating to the fees chargeable by the clerk of the district court.

Read first and second times and referred to committee on judiciary.

Senate File No. 245, a bill for an act to amend, revise, and codify sections eight thousand four hundred seventy-eight (8478) and eight thousand four hundred seventy-nine (8479) of the compiled code of Iowa, relating to the clerk of the supreme court.

Read first and second times and referred to committee on judiciary.

Senate File No. 139, a bill for an act to amend, revise, and codify chapter eleven (11) of title twelve (12) of the compiled code of Iowa and section thirty-two hundred sixty-one (3261) of the supplement to said code, relating to county bonds.

Read first and second times and referred to committee on county and township organization.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Elliott of Scott for the remainder of the week, on request of Yenter of Johnson.

#### CONSIDERATION OF BILLS

House File No. 158, a bill for an act to amend, revise, and codify sections three thousand five hundred ninety-two (3592) to three thousand five hundred ninety-four (3594), inclusive, three thousand five hundred ninety-nine (3599) to three thousand six hundred two (3602), inclusive, three thousand six hundred five (3605) to three thousand six hundred twelve (3612), inclusive, three thousand six hundred twenty (3620), three thousand six hundred twenty-two (3622), three thousand six hundred twenty-three (3623), three thousand six hundred twenty-five (3625), three thousand six hundred twenty-six (3626), three thousand six hundred forty-two (3642) to three thousand six hundred forty-four (3644), inclusive, three thousand six hundred forty-seven (3647) to three thousand six hundred fifty-two (3652), inclusive, three thousand six hundred fifty-six (3656), three thousand six hundred fifty-nine (3659), and three thousand six hundred sixty-one (3661) to three thousand six hundred sixty-three (3663), inclusive, of the compiled code of Iowa, and section three thousand six hundred sixty (3660) of the supplement to said code, relating to municipal corporations, was taken up for further consideration.

Harrison of Pottawattamie offered the following amendment and moved its adoption:

Amend House File No. 158 by striking out the period (.) at the end of section ten (10) and adding thereto the following: "operating under state charters and franchises."

Amendment adopted.

Diltz of Polk offered the following amendment and moved its adoption:

Amend House File No. 158 by striking from line fourteen (14) of section seven (7) the words "or by-law".

Amendment adopted.

Lovrien of Humboldt moved that the bill be read a third time now and placed upon its passage, which motion prevailed.

Diltz of Polk asked and obtained unanimous consent to offer for consideration at this time the following amendment:

Amend section twenty-one (21) of House File No. 158, as amended, by inserting between the word "and" and the article "a" in line five (5) the following: "except as otherwise provided by law".

On motion of Mr. Diltz the amendment was adopted.

The bill, as amended, was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gibson	Lieberknecht	Rumley
Berry	Gilbert	Long	Rust
Blume	Gilbertson	Lovrien	Sampson
Brady	Gilmore	McClune	Saunders
Brittain	Graham	Mathews	Schirmer
Buffington	Grimwood	Matthiesen	Schulte
Carter	Hansen	Napier	Scott of Fremont
Children	Harrison	Natvig	Slemmons
Clark	Hattendorf	Noble	Smith of
Cole	Hauge	O'Donnell	Chickasaw
Criswell	Held	Oliver	Smith of Lucas
Dewar	Hempel	Olson	Stock
Diltz	Henderson	Ontjes	Stokesberry
Donhowe	Himebauch	Orr	Storey
Dooley	Hollis	Parsons	Strippel
Dotts	Huff	Patterson	Ulstad
Edge	Johnson	Powers	Venard
Edson	King	Quirk	Wamstad
Fackler	Knutson	Rankin	Williams
Forsling	Lake	Rassler	Wilson
Gallagher	Leonard	Rewoldt	Wolfe
Garber of Adair	Letts	Rhinehart	Yenter
Garber of Floyd	Lichty	Robson	Mr. Speaker—91

The nays were, none.

Absent or not voting:

Anderson of	Doolittle	Miller	Scott of
Webster	Elliott	Moen	Appanoose
Blake	Frahm	Peterson	Vincent
Bradley	Gesman	Potts	Weber—17
Colbert	Healy	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to,

House File No. 282, a bill for an act to amend, revise, and codify section ninety-four hundred twenty-seven (9427) of the compiled code of Iowa, relating to peremptory challenges in the trial of criminal causes, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Clark of Linn the amendments proposed by the committee, found on pages 156 and 157 of the Journal of December 18th, were adopted.

Mr. Clark moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Letts	Rumley
Anderson of Webster	Garber of Adair	Lichty	Rust
Berry	Garber of Floyd	Lieberknecht	Sampson
Blake	Gibson	Long	Saunders
Blume	Gilbert	Lovrien	Schirmer
Bradley	Gilbertson	McClune	Schulte
Brady	Gilmore	Mathews	Scott of Fremont
Brittain	Graham	Matthiesen	Slemmons
Buffington	Grimwood	Napier	Smith of Chickasaw
Carter	Hansen	Natvig	Smith of Lucas
Children	Harrison	Noble	Stock
Clark	Hattendorf	O'Donnell	Stookesberry
Cole	Hauge	Oliver	Storey
Criswell	Healy	Olson	Strippel
Dewar	Held	Ontjes	Ulstad
Diltz	Hempel	Orr	Venard
Donhowe	Henderson	Parsons	Vincent
Dooley	Himebauch	Patterson	Wamstad
Dotts	Hollis	Powers	Williams
Edge	Huff	Quirk	Wilson
Edson	Johnson	Rankin	Wolfe
Fackler	King	Rassler	Yenter
Forsling	Knutson	Rewoldt	Mr. Speaker—97
Frahm	Lake	Rhinehart	
	Leonard	Robson	

The nays were, none.

Absent or not voting:

Colbert	Gesman	Peterson	Scott of Appanoose
Doolittle	Miller	Potts	Weber—11
Elliott	Moen	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill:

Senate File No. 239.

## HOUSE FILE WITHDRAWN

On request of Children of Pottawattamie, unanimous consent having been obtained, House File No. 285 was withdrawn from the calendar and from further consideration by the House.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on December 19th, approved the following bills:

House Files Nos. 61 and 148.

House Joint Resolutions Nos. 1 and 2.

## AMENDMENT FILED

Edson of Buena Vista filed the following amendment to House File No. 126:

Amend House File No. 126 by inserting after the word "auditor", in line three (3) of section five (5) thereof the words, "and shall thereafter be removable according to the provisions of this chapter".

## HOUSE FILE REREFERRED

On request of Healy of Hancock, unanimous consent having been obtained, House File No. 92 was rereferred to the committee on state educational institutions.

On motion of Anderson of Webster the House adjourned until 10 a. m. Friday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 21, 1923.

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

Prayer was offered by the Rev. T. Ernest Hoon, pastor of the M. E. church, Laurens, Iowa.

Journal of December 20th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Natvig of Howard indefinitely, on request of Hattendorf of Osceola.

Donhowe of Story requested that all members of the House unable to be present today and tomorrow be excused from the House.

No objection being made, the request was granted by the Speaker.

## PETITIONS

Olson of Clinton presented a resolution from the city council of Clinton, urging a more equitable distribution of the primary road fund. Referred to committee on roads and highways.

## CONSIDERATION OF BILLS

By unanimous consent, Senate File No. 284, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants of the city of Council Bluffs, Iowa, with report of committee recommending passage, was taken up for consideration.

Children of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Fackler	Long	Schulte
Anderson of Webster	Forsling	Lovrien	Scott of Fremont
Berry	Gallagher	McClune	Slemmons
Blake	Garber of Adair	Mathews	Smith of Chickasaw
Blume	Garber of Floyd	Napier	Smith of Lucas
Bradley	Gesman	Noble	Stock
Brady	Gibson	O'Donnell	Storey
Brittain	Gilmore	Oliver	Ulstad
Buffington	Grimwood	Olson	Venard
Carter	Harrison	Orr	Vincent
Children	Hattendorf	Parsons	Wamstad
Clark	Healy	Patterson	Williams
Cole	Held	Powers	Wilson
Criswell	Henderson	Quirk	Wolfe
Dewar	Himebauch	Rassler	Yenter
Diltz	Hollis	Rewoldt	Mr. Speaker—81
Donhowe	Huff	Rhinehart	
Dooley	Johnson	Robson	
Dotts	King	Rust	
Edge	Lake	Sampson	
Edson	Leonard	Saunders	
	Lieberknecht	Schirmer	

The nays were, none.

Absent or not voting:

Colbert	Hansen	Miller	Rankin
Doolittle	Hauge	Moen	Rumley
Elliott	Hempel	Natvig	Scott of Appanoose
Frahm	Knutson	Ontjes	Stookesberry
Gilbert	Letts	Peterson	Strippel
Gilbertson	Lichfy	Potts	Weber—27
Graham	Matthiesen	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

By unanimous consent, Senate File No. 286, a bill for an act to legalize an election held in the independent school district of Council Bluffs, in the county of Pottawattamie, state of Iowa, and the issuance and sale of bonds by said school district pursuant thereto, with report of committee recommending passage, was taken up for consideration.

Children of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Blake	Brady	Carter
Anderson of Webster	Blume	Brittain	Children
	Bradley	Buffington	Clark

Cole	Grimwood	Napier	Scott of Fremont
Criswell	Harrison	Noble	Slemmons
Dewar	Hattendorf	O'Donnell	Smith of
Diltz	Healy	Olson	Chickasaw
Donhowe	Held	Orr	Smith of Lucas
Dooley	Henderson	Parsons	Stock
Dotts	Himebauch	Patterson	Storey
Edge	Hollis	Powers	Ulstad
Edson	Huff	Quirk	Venard
Fackler	Johnson	Rassler	Vincent
Foraling	King	Rewoldt	Williams
Frahm	Lake	Rhinehart	Wilson
Gallagher	Leonard	Robson	Wolfe
Garber of Adair	Lieberknecht	Rust	Yenter
Garber of Floyd	Long	Sampson	Mr. Speaker—79
Gesman	Lovrien	Saunders	
Gibson	McClune	Schirmer	!
Gilmore	Mathews	Schulte	!

The nays were;

Oliver—1

Absent or not voting:

Berry	Hauge	Natvig	Scott of
Colbert	Hempel	Ontjes	Appanoose
Doolittle	Knutson	Peterson	Stookesberry
Elliott	Letts	Potts	Strippel
Gilbert	Lichty	Ramsey	Wamstad
Gilbertson	Matthiesen	Rankin	Weber—28
Graham	Miller	Rumley	
Hansen	Moen		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### INTRODUCTION OF JOINT RESOLUTION

House Joint Resolution No. 3, by Clark of Linn, joint resolution authorizing the secretary of state to make House joint resolution No. 2, passed by the extraordinary session of the Fortieth General Assembly, effective immediately by publication.

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

Section 1. Publication clause. That House Joint Resolution No. 2, passed by the extraordinary session of the Fortieth General Assembly, and approved by the Governor, being deemed of immediate importance shall take effect and be in full force from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa, and the Secretary of State is hereby authorized and directed to cause House Joint Resolution No. 2 to be published as provided herein.

Read first and second times and, by unanimous consent, the joint resolution was taken up for immediate consideration.

The joint resolution was read for the information of the House.

Mr. Clark moved that the reading just had be considered the third reading and that the joint resolution be placed upon its passage, which motion prevailed.

On the question "Shall the joint resolution pass?"

The ayes were:

Anderson of	Frahm	Lieberknecht	Sampson
Webster	Gallagher	Long	Saunders
Berry	Garber of Adair	Lovrien	Schulte
Blake	Garber of Floyd	McClune	Scott of Fremont
Blume	Gesman	Mathews	Slemmons
Bradley	Gibson	Napier	Smith of
Brady	Gilmore	Noble	Chickasaw
Brittain	Grimwood	O'Donnell	Smith of Lucas
Buffington	Harrison	Oliver	Stock
Carter	Hattendorf	Olson	Storey
Clark	Healy	Ontjes	Ulstad
Cole	Held	Orr	Venard
Criswell	Henderson	Parsons	Vincent
Dewar	Himebauch	Patterson	Williams
Diltz	Hollis	Powers	Wilson
Donhowe	Huff	Quirk	Wolfe
Dooley	Johnson	Rassler	Yenter
Dotts	King	Rewoldt	Mr. Speaker—79
Edge	Lake	Rhinehart	
Edson	Leonard	Robson	
Fackler	Licity	Rust	

The nays were, none.

Absent or not voting:

Aiken	Graham	Moen	Scott of
Children	Hansen	Natvig	Appanoose
Colbert	Hauge	Peterson	Stookesberry
Doolittle	Hempel	Potts	Strippel
Elliott	Knutson	Ramsey	Wamstad
Forsling	Letts	Rankin	Weber—29
Gilbert	Matthiesen	Rumley	
Gilbertson	Miller	Schirmer	

The joint resolution having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CONSIDERATION OF MOTION TO RECONSIDER

Patterson of Kossuth moved that the motion to reconsider, filed by Williams of Montgomery and found on page 172 of the Journal of December 19th, be laid upon the table.

Forsling of Woodbury moved that action on the motion to lay on the table be deferred.

Patterson of Kossuth raised the point of order that the motion by Forsling of Woodbury was out of order.

Mr. Speaker ruled that the point was well taken.

Garber of Adair moved that the House now adjourn until 9:00 a. m. tomorrow.

Ulstad of Wright demanded a roll call.

On the question "Shall the House now adjourn until 9:00 a. m. tomorrow?"

The ayes were:

Anderson of Webster	Edge Forling	Hollis Lake	Rust Sampson
Blake	Gallagher	Lichty	Saunders
Bradley	Garber of Adair	Lieberknecht	Stock
Carter	Gilbert	Long	Vincent
Clark	Gilmore	McClune	Williams
Cole	Grimwood	Matthews	Wilson
Dewar	Hattendorf	O'Donnell	Yenter—40
Diltz	Healy	Powers	
Donhowe	Henderson	Rhinehart	
Dotts	Himebauch	Robson	

The nays were:

Berry	Garber of Floyd	Noble	Scott of Fremont
Blume	Gesman	Oliver	Slemmons
Brady	Gibson	Olson	Smith of Lucas
Brittain	Harrison	Ontjes	Ulstad
Buffington	Held	Orr	Venard
Children	Huff	Parsons	Wamstad
Criswell	Johnson	Patterson	Wolfe
Dooley	King	Quirk	Mr. Speaker—41
Edson	Leonard	Rassler	
Fackler	Lovrien	Rewoldt	
Frahm	Napier	Schulte	

Absent or not voting:

Aiken	Hempel	Potts	Smith of Chickasaw
Colbert	Knutson	Ramsey	Stookesberry
Doolittle	Letts	Rankin	Storey
Elliott	Matthiesen	Rumley	Strippel
Gilbertson	Miller	Schirmer	Weber—27
Graham	Moen	Scott of Appanoose	
Hansen	Natvig		
Hauge	Peterson		

So the motion to adjourn was lost.

On the question "Shall the motion of Patterson of Kossuth to lay the motion to reconsider upon the table prevail?"

A roll call was demanded.

## The ayes were:

Aiken	Frahm	Noble	Stemmons
Anderson of Webster	Garber of Floyd	Oliver	Smith of Lucas
Blume	Gesman	Olson	Storey
Brady	Gibson	Orr	Ulstad
Brittain	Harrison	Patterson	Venard
Children	Hattendorf	Quirk	Wamstad
Criswell	Huff	Rassler	Wolfe—36
Dooley	King	Rewoldt	
Fackler	Leonard	Saunders	
	Napier	Schulte	

## The nays were:

Berry	Forsling	Lichty	Sampson
Blake	Gallagher	Lieberknecht	Scott of Fremont
Bradley	Garber of Adair	Long	Smith of Chickasaw
Buffington	Gilbert	Lovrien	Stock
Carter	Gilmore	McClune	Vincent
Clark	Grimwood	Mathews	Williams
Cole	Healy	O'Donnell	Wilson
Dewar	Henderson	Ontjes	Yenter
Diltz	Himebauch	Parsons	Mr. Speaker—48
Donhowe	Hollis	Powers	
Dotts	Johnson	Rhinehart	
Edge	Lake	Robson	
Edson	Letts	Rust	

## Absent or not voting:

Colbert	Held	Peterson	Scott of Appanoose
Doolittle	Hempel	Potts	Stookesberry
Elliott	Knutson	Ramsey	Strippel
Gilbertson	Mathiesen	Rankin	Weber—24
Graham	Miller	Rumley	
Hansen	Moen	Schirmer	
Hauge	Natvig		

So the motion to lay the motion to reconsider upon the table was lost.

Anderson of Webster moved that the House now adjourn until 9 a. m. tomorrow.

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

House File No. 284, a bill for an act to legalize an election held in the incorporated town of Oakland, Iowa, and the issuance and sale of bonds by said town pursuant thereto.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 286, a bill for an act to legalize the acts of the board of directors of the independent school district of Waterloo, Iowa, in estimating the amount required for the general fund for the school year 1923-1924, and the certification thereof to the board of supervisors of Black Hawk County, Iowa, and the levy thereof by said board of supervisors.

Also, 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 amend, revise, and codify section ninety-four (94) of the compiled code of Iowa, relating to the duties of the Governor.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 58, a bill for an act to amend, revise, and codify sections twelve hundred fourteen (1214), twelve hundred seventeen (1217), twelve hundred eighteen (1218), twelve hundred twenty-two (1222) and twelve hundred twenty-six (1226) of the compiled code of Iowa and section twelve hundred nineteen (1219) of the supplement to said code, relating to the practice of professional engineering and land surveying.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 58

Amend section seven (7) by adding to the last line thereof, following the word "duties", the words "but in no event shall the state be chargeable with any expense incurred under the provisions of this act."

#### SENATE MESSAGES CONSIDERED

Senate File No. 7, a bill for an act to amend, revise, and codify section ninety-four (94) of the compiled code of Iowa, relating to the duties of the governor.

Read first and second times and referred to committee on departmental affairs.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files Nos. 284 and 286.

C. F. LETTS, *Chairman House Committee*.

F. C. GILCHRIST, *Chairman Senate Committee*.

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills:

House Files Nos. 284 and 286.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this twenty-first day of December, 1923, sent to the Governor for his approval: House Files Nos. 284 and 286.

C. F. LETTS, *Chairman*.

Report adopted.

## SPECIAL ORDER

Forsling of Woodbury made the following motion:

MR. SPEAKER: I move that action on the motion to reconsider the vote by which the House adopted the motion of Patterson of Kossuth to rerefer odd-numbered bills on the calendar be deferred and made a special order for 11:00 a. m., January 3, 1924.

Motion prevailed.

## CONSIDERATION OF BILLS

House File No. 126, a bill for an act to amend, revise, and codify chapter thirteen (13) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to the removal of obstructions from public highways and to advertising signs and billboards which obstruct the view of public highways and railway tracks, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Edson of Buena Vista, the amendments proposed by the committee, found on page 156 of the Journal of December 18th, were adopted.

The amendment filed by Edson of Buena Vista, found on page 186 of the Journal of December 20th, was taken up and considered.

Mr. Edson moved the adoption of the amendment. Motion prevailed.

Mr. Edson moved that the bill be read a third time now and

placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blake	Garber of Adair	Leonard	Rust
Biune	Garber of Floyd	Letts	Sampson
Bradley	Gesman	Lichty	Saunders
Brady	Gibson	Lieberknecht	Schulte
Brittain	Gilbert	Long	Scott of Fremont
Buffington	Gilmore	Lovrien	Slemmons
Carter	Grimwood	McClune	Smith of
Clark	Harrison	Mathews	Chickasaw
Cole	Hattendorf	Napier	Smith of Lucas
Criswell	Healy	Oliver	Stock
Dewar	Held	Olson	Vincent
Dooley	Henderson	Ontjes	Wamstad
Dotts	Himebauch	Parsons	Williams
Edson	Hollis	Powers	Wilson
Fackler	Johnson	Rewoldt	Yenter
Forsling	King	Rhinehart	Mr. Speaker—66
Gallagher	Lake	Robson	

The nays were, none.

Absent or not voting:

Alken	Frahm	Natvig	Rumley
Anderson of	Gilbertson	Noble	Schirmer
Webster	Graham	O'Donnell	Scott of
Berry	Hansen	Orr	Appanoose
Children	Hauge	Patterson	Stookesberry
Colbert	Hempel	Peterson	Storey
Diltz	Huff	Potts	Strippel
Donhowe	Knutson	Quirk	Ulstad
Doolittle	Matthiesen	Ramsey	Venard
Edge	Miller	Rankin	Weber
Elliott	Moen	Rassler	Wolfe—42

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 194, a bill for an act to amend, revise, and codify section fifty hundred ninety (5090) of the compiled code of Iowa, relating to liability for negligence of employees and contracts of insurance relief, benefit or indemnity between railway corporations and their employees in case of injury or death, with report of committee recommending passage, was taken up for consideration.

Lake of Woodbury moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blake	Forsling	Leonard	Rust
Blume	Gallagher	Letts	Sampson
Bradley	Gesman	Lichty	Saunders
Brady	Gibson	Lieberknecht	Schulte
Brittain	Gilbert	Long	Scott of Fremont
Buffington	Gilmore	Lovrien	Slemmons
Carter	Grimwood	McClune	Smith of
Children	Harrison	Mathews	Chickasaw
Clark	Hattendorf	Napier	Smith of Lucas
Cole	Healy	Oliver	Stock
Criswell	Held	Olson	Ulstad
Dewar	Henderson	Ontjes	Vincent
Diltz	Himebauch	Parsons	Wamstad
Donhowe	Hollis	Patterson	Wilson
Dooley	Huff	Powers	Yenter
Dotts	Johnson	Rewoldt	Mr. Speaker—69
Edson	King	Rhinehart	
Fackler	Lake	Robson	

The nays were, none.

Absent or not voting:

Aiken	Gilbertson	O'Donnell	Scott of
Anderson of	Graham	Orr	Appanoose
Webster	Hansen	Peterson	Stokesberry
Berry	Hauge	Potts	Storey
Colbert	Hempel	Quirk	Strippel
Doolittle	Knutson	Ramsey	Venard
Edge	Matthiesen	Rankin	Weber
Elliott	Miller	Rassler	Williams
Frahm	Moen	Rumley	Wolfe—39
Garber of Adair	Natvig	Schirmer	
Garber of Floyd	Noble		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 276, a bill for an act to amend, revise, and codify chapter twenty-four-A (24-A) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theaters, pool and billiard rooms and bowling alleys, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Gibson of Clarke the amendments proposed by the committee, found on page 166 of the Journal of December 19th, were adopted.

Brittain of Madison moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blume	Garber of Adair	Lichty	Sampson
Bradley	Gesman	Lieberknecht	Saunders
Brady	Gibson	Long	Schulte
Brittain	Gilmore	Lovrien	Scott of Fremont
Buffington	Grimwood	Mathews	Slemmons
Carter	Hattendorf	Oliver	Smith of
Children	Healy	Olson	Chickasaw
Clark	Held	Ontjes	Smith of Lucas
Cole	Henderson	Orr	Stock
Criswell	Himebauch	Parsons	Ulstad
Dewar	Hollis	Patterson	Vincent
Donhowe	Huff	Powers	Wamstad
Dooley	Johnson	Rewoldt	Wilson
Dotts	King	Rhinehart	Mr. Speaker—61
Forsling	Lake	Robson	
Gallagher	Letts	Rust	

The nays were, none.

Absent or not voting:

Aiken	Garber of Floyd	Moen	Scott of
Anderson	Gilbert	Napier	Appanoose
of Webster	Gilbertson	Natvig	Stookesberry
Berry	Graham	Noble	Storey
Blake	Hansen	O'Donnell	Strippel
Colbert	Harrison	Peterson	Venard
Diltz	Hauge	Potts	Weber
Doolittle	Hempel	Quirk	Williams
Edge	Knutson	Ramsey	Wolfe
Edson	Leonard	Rankin	Yenter—47
Elliott	McClune	Rassler	
Fackler	Matthiesen	Rumley	
Frahm	Miller	Schirmer	

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Senate File No. 173, a bill for an act to amend, revise, and codify sections three thousand nine hundred eighty-seven (3987) and three thousand nine hundred ninety (3990) to three thousand nine hundred ninety-two (3992), inclusive, of the compiled code of Iowa, and sections three thousand nine hundred eighty-two (3982), and three thousand nine hundred eighty-eight (3988) of the supplement to said code, relating to municipal corporations, with report of committee recommending passage, was taken up for consideration.

Stock of Allamakee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blake	Gallagher	King	Rust
Blume	Garber of Adair	Lake	Sampson
Bradley	Gesman	Leonard	Saunders
Brittain	Gibson	Letts	Schulte
Buffington	Gilbert	Lichty	Scott of Fremont
Carter	Gilmore	Long	Slemmons
Clark	Grimwood	Lovrien	Smith of
Cole	Harrison	Mathews	Chickasaw
Criswell	Hattendorf	Ontjes	Smith of Lucas
Dewar	Healy	Orr	Stock
Diltz	Held	Parsons	Ulstad
Donhowe	Henderson	Patterson	Vincent
Dooley	Himebauch	Powers	Wamstad
Dotts	Hollis	Rewoldt	Wilson
Fackler	Huff	Rhinehart	Yenter
Forsling	Johnson	Robson	Mr. Speaker—63

The nays were:

Oliver—1

Absent or not voting:

Aiken	Garber of Floyd	Napier	Schirmer
Anderson of	Gilbertson	Natvig	Scott of
Webster	Graham	Noble	Appanoose
Berry	Hansen	O'Donnell	Stookesberry
Brady	Hauge	Olson	Storey
Children	Hempel	Peterson	Strippel
Colbert	Knutson	Potts	Venard
Doolittle	Lieberknecht	Quirk	Weber
Edge	McClune	Ramsey	Williams
Edson	Matthiesen	Rankin	Wolfe—44
Elliott	Müller	Rassler	
Frahm	Moen	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### MOTION TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: I move to reconsider the vote by which the House refused to concur in Senate amendments to House File No. 10.

I second the motion.

L. V. CARTER.

W. R. BLAKE.

On motion of Cole of Harrison the House adjourned until 9:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 22, 1923.

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

Prayer was offered by the Rev. A. W. Armstrong, Des Moines Conference Historian, Perry, Iowa.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills, December 21, 1923:

House Files Nos. 284 and 286.

## AMENDMENT FILED

Himebauch of Emmet filed the following amendment to Senate File No. 279:

Amend Senate File No. 279 by adding after section two (2) the following:

"That section thirty-two hundred thirty (3230) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 3. Witnesses and jurors shall receive for each day's service or attendance, two dollars; and for each mile traveled from his residence to the place of holding the inquest the sum of ten cents."

Amend the title to Senate File No. 279 so as to read as follows:

"A bill for an act to amend, revise, and codify sections thirty-two hundred twenty-nine (3229) and thirty-two hundred thirty (3230) of the compiled code of Iowa, and section thirty-two hundred twenty-eight (3228) of the supplement to said code, relating to the coroner."

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Himebauch of Emmet, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 286 and 284.

FRED S. HIMEBAUCH, *Acting Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills:

Senate Files Nos. 284 and 286.

Roll was called to determine the presence of a quorum.

Those present were:

Blume	Garber of Floyd	Himebauch	Scott of Fremont
Brittain	Gesman	Lake	Smith of Lucas
Criswell	Gilmore	Parsons	Vincent
Diltz	Henderson	Rhinehart	Mr. Speaker—16

Those absent were:

Aiken	Gallagher	Lovrien	Rumley
Anderson of Webster	Garber of Adair	McClune	Rust
Berry	Gibson	Mathews	Sampson
Blake	Gilbert	Matthiesen	Saunders
Bradley	Gilbertson	Miller	Schirmer
Brady	Graham	Moen	Schulte
Buffington	Grimwood	Napier	Scott of Appanoose
Carter	Hansen	Natvig	Slemmons
Children	Harrison	Noble	Smith of Chickasaw
Clark	Hattendorf	O'Donnell	Stock
Colbert	Hauge	Oliver	Stookesberry
Cole	Healy	Olson	Storey
Dewar	Held	Ontjes	Strippel
Donhowe	Hempel	Orr	Ulstad
Dooley	Hollis	Patterson	Venard
Doolittle	Huff	Peterson	Wamstad
Dotts	Johnson	Potts	Weber
Edge	King	Powers	Williams
Edson	Knutson	Quirk	Wilson
Elliott	Leonard	Ramsey	Wolfe
Fackler	Letts	Rankin	Yenter—92
Forsling	Lichty	Rassler	
Frahm	Lieberknecht	Rewoldt	
	Long	Robson	

The call of the roll disclosed the lack of a quorum.

On motion of Brittain of Madison the House adjourned until 10:00 o'clock a. m., Thursday, December 27, 1923.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 27, 1923.

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

Prayer was offered by the Rev. George Woodall, pastor of the M. E. church, Grundy Center, Iowa.

The roll was called to ascertain the presence of a quorum.

Those present were:

Aiken	Edge	Lake	Scott of Fremont
Berry	Gallagher	Lichty	Smith of
Blume	Garber of Floyd	Miller	Chickasaw
Brittain	Gibson	Napier	Smith of Lucas
Carter	Grimwood	Olson	Storey
Children	Harrison	Parsons	Venard
Colbert	Hauge	Patterson	Wamstad
Diltz	Healy	Powers	Mr. Speaker—37
Doolittle	Henderson	Rankin	
Dotts	Huff	Robson	

Those absent were:

Anderson of	Gilbert	Mathews	Saunders
Webster	Gilbertson	Matthiesen	Schirmer
Blake	Gilmore	Moen	Schulte
Bradley	Graham	Natvig	Scott of
Brady	Hansen	Noble	Appanoose
Buffington	Hattendorf	O'Donnell	Stemmons
Clark	Held	Oliver	Stock
Cole	Hempel	Ontjes	Stookesberry
Criswell	Himebauch	Orr	Strippel
Dewar	Hollis	Peterson	Ulstad
Donhowe	Johnson	Potts	Vincent
Dooley	King	Quirk	Weber
Edson	Knutson	Ramsey	Williams
Elliott	Leonard	Rassler	Wilson
Fackler	Letts	Rewoldt	Wolfe
Forsling	Lieberknecht	Rhinehart	Yenter—71
Frahm	Long	Rumley	
Garber of Adair	Lovrien	Rust	
Gesman	McClune	Sampson	

The call of the roll disclosed the lack of a quorum.

On request of Lake of Woodbury the absentees were excused until tomorrow.

The Speaker adjourned the House until 10:00 a. m. Friday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 28, 1923.

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

Prayer was offered by the Rev. Arthur Stookesberry of Floris, Iowa.

The roll was called to ascertain the presence of a quorum.

Those present were:

Aiken	Edge	Johnson	Rankin
Anderson of	Fackler	King	Robson
Webster	Frahm	Knutson	Schulte
Berry	Gallagher	Lake	Scott of Fremont
Blume	Garber of Floyd	Leonard	Slemmons
Bradley	Gesman	Lichty	Smith of
Brittain	Gibson	Long	Chickasaw
Carter	Gilbert	McCune	Smith of Lucas
Children	Grimwood	Mathews	Stookesberry
Colbert	Harrison	Miller	Storey
Criswell	Hauge	Napier	Venard
Diltz	Healy	Olson	Vincent
Donhowe	Held	Parsons	Wamstad
Doolittle	Henderson	Patterson	Mr. Speaker—57
Dotts	Huff	Powers	

Those absent were:

Blake	Graham	O'Donnell	Sampson
Brady	Hansen	Oliver	Saunders
Buffington	Hattendorf	Ontjes	Schirmer
Clark	Hempel	Orr	Scott of
Cole	Himebauch	Peterson	Appanoose
Dewar	Hollis	Potts	Stock
Dooley	Letts	Quirk	Strippel
Edson	Lieberknecht	Ramsey	Ulstad
Elliott	Lovrien	Rassler	Weber
Forsling	Matthiesen	Rewoldt	Williams
Garber of Adair	Moen	Rhinehart	Wilson
Gilbertson	Natvig	Rumley	Wolfe
Gilmore	Noble	Rust	Yenter—51

The call of the roll disclosed the presence of a quorum.

Journals of December 21st, 22d and 27th corrected and approved.

## PETITIONS

Carter of Hardin presented a resolution from the boards of supervisors of Grundy, Hardin and Black Hawk counties urg-

ing the passage of a gasoline tax bill. Referred to committee on ways and means.

Smith of Chickasaw presented a resolution from Gopher Camp No. 242, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Doolittle of Delaware presented a resolution from Maple Leaf Camp No. 2655, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Rassler of Pocahontas, indefinitely on account of illness in the family, on request of Mathews of Des Moines; Moen of Lyon, indefinitely, on request of Smith of Chickasaw; Cole of Harrison for the day, on request of Smith of Chickasaw; Saunders of Palo Alto for the day, on request of Patterson of Kossuth; Ramsey of Butler until January 4, 1924, on request of Vincent of Guthrie; Blake of Fayette until January 2, 1924, on request of Lake of Woodbury; Clark of Linn for the remainder of the week, on request of Doolittle of Delaware.

On request of Criswell of Boone those members absent without leave were excused until tomorrow.

McClune of Mahaska offered the following concurrent resolution:

#### CONCURRENT RESOLUTION NO. 5

*Resolved by the House, the Senate concurring,* That the General Assembly do now recess until Wednesday, January 2, 1924, at 2:00 o'clock p. m.

By unanimous consent the resolution was taken up for immediate consideration.

Mr. McClune moved the adoption of the resolution.

A roll call was demanded.

On the question "Shall the concurrent resolution be adopted?"

The ayes were:

Bradley	Long	Robson
Grimwood	McClune	Storey
Hauge	Rankin	Vincent—9

The nays were:

Alken	Berry	Carter	Criswell
Anderson of	Blume	Children	Donhowe
Webster	Brittain	Colbert	Doolittle

Dotts	Harrison	Mathews	Slemmons
Edge	Held	Miller	Smith of
Fackler	Henderson	Napier	Chickasaw
Frahm	Huff	Olson	Smith of Lucas
Gallagher	Johnson	Parsons	Stookesberry
Garber of Floyd	King	Patterson	Venard
Gesman	Knutson	Powers	Wamstad
Gibson	Lake	Schulte	Mr. Speaker—45
Gilbert	Leonard	Scott of Fremont	

Absent or not voting:

Blake	Graham	Noble	Sampson
Brady	Hansen	O'Donnell	Saunders
Buffington	Hattendorf	Oliver	Schirmer
Clark	Healy	Ontjes	Scott of
Cole	Hempel	Orr	Appanoose
Dewar	Himebauch	Peterson	Stock
Diltz	Hollis	Potts	Strippel
Dooley	Letts	Quirk	Ulstad
Edson	Lichty	Ramsey	Weber
Elliott	Lieberknecht	Rassler	Williams
Forsling	Lovrien	Rewoldt	Wilson
Garber of Adair	Matthiesen	Rhinehart	Wolre
Gilbertson	Moen	Rumley	Yenter—54
Gilmore	Natvig	Rust	

The concurrent resolution was rejected.

#### CONSIDERATION OF BILL

Senate File No. 227, a bill for an act to amend, revise, and codify section seven thousand one hundred forty-eight (7148) of the compiled code of Iowa, relating to the place of bringing actions, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Doolittle of Delaware the amendments proposed by the committee, found on page 176 of the Journal of December 20th, were adopted.

Mr. Doolittle moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Carter	Dotts	Gibson
Anderson of	Children	Edge	Gilbert
Webster	Colbert	Fackler	Grimwood
Berry	Crisswell	Frahm	Harrison
Blume	Diltz	Gallagher	Hauge
Bradley	Donhowe	Garber of Floyd	Healy
Brittain	Doolittle	Gesman	Held

Henderson	Long	Powers	Smith of Lucas
Huff	McClune	Rankin	Stokesberry
Johnson	Mathews	Robson	Storey
King	Miller	Schulte	Venard
Knutson	Napier	Scott of Fremont	Vincent
Lake	Olson	Slemmons	Wamstad
Leonard	Parsons	Smith of	Mr. Speaker—57
Lichty	Patterson	Chickasaw	

The nays were, none.

Absent or not voting:

Blake	Graham	O'Donnell	Sampson
Brady	Hansen	Oliver	Saunders
Buffington	Hattendorf	Ontjes	Schirmer
Clark	Hempel	Orr	Scott of
Cole	Himebauch	Peterson	Appanoose
Dewar	Hollis	Potts	Stock
Dooley	Letts	Quirk	Strippel
Edson	Lieberknecht	Ramsey	Ulstad
Elliott	Lovrien	Rassley	Weber
Forsling	Matthlesen	Rewoldt	Williams
Garber of Adair	Moen	Rhinehart	Wilson
Gilbertson	Natvig	Rumley	Wolfe
Gilmore	Noble	Rust	Yenter—51

So, the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### AMENDMENT FILED

Brittain of Madison filed the following amendment to House File No. 117:

Amend section 6 by striking therefrom all of said section following the period in line 3.

On motion of Slemmons of Buchanan the House adjourned until 10:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 29, 1923.

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

Prayer was offered by the Rev. A. Norrbom, pastor of the First Lutheran church, Des Moines, Iowa.

The roll was called to ascertain the presence of a quorum.

Those present were:

Aiken	Edge	King	Robson
Anderson of	Fackler	Knutson	Schulte
Webster	Frahm	Lake	Scott of Fremont
Berry	Gallagher	Leonard	Slemmons
Blume	Garber of Floyd	Long	Smith of
Bradley	Gesman	McClune	Chickasaw
Brittain	Gilbert	Mathews	Smith of Lucas
Children	Grimwood	Miller	Stookesberry
Colbert	Harrison	Oliver	Venard
Criswell	Hauge	Olson	Vincent
Dewar	Healy	Parsons	Wamstad
Diltz	Held	Patterson	Mr. Speaker—55
Donhowe	Henderson	Powers	
Doolittle	Huff	Quirk	
Dotts	Johnson	Rankin	

Those absent were:

Blake	Graham	Noble	Schirmer
Brady	Hansen	O'Donnell	Scott of
Buffington	Hattendorf	Ontjes	Appanoose
Carter	Hempel	Orr	Stock
Clark	Himebauch	Peterson	Storey
Cole	Hollis	Potts	Strippel
Dooley	Letts	Ramsey	Ulstad
Edson	Lichty	Rassler	Weber
Elliott	Lieberknecht	Rewoldt	Williams
Forsling	Lovrien	Rhinehart	Wilson
Garber of Adair	Matthiesen	Rumley	Wolfe
Gibson	Moen	Rust	Yenter—53
Gilbertson	Napier	Sampson	
Gilmore	Natvig	Saunders	

The call of the roll disclosed the presence of a quorum.

Journal of December 28th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Napier of Ringgold for forenoon, on request of Scott of Fremont; Williams of Montgomery indefinitely, on account of illness, on request of Grimwood of Jones; Hempel of Clayton for the day, on request of Parsons of Calhoun; Noble of Muscatine for the day, on request of Parsons of Calhoun; Hattendorf of Osceola for the day, on request of Parsons of Calhoun; Wolfe of Linn until Monday, on request of Children of Pottawattamie.

On request of McClune of Mahaska all members absent without leave were excused for the day.

## 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. 272, a bill for an act to amend, revise, and codify section eighty-nine hundred two (8902) of the compiled code of Iowa, relating to corruption in elections.

Also, that the Senate has passed House Joint Resolution No. 3, joint resolution authorizing the Secretary of State to make House Joint Resolution No. 2, passed by the extraordinary session of the Fortieth General Assembly, effective immediately by publication.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 19, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-eight (3348) to thirty-three hundred fifty-one (3351), inclusive, thirty-three hundred fifty-three (3353), thirty-seven hundred sixty-five (3765), thirty-seven hundred sixty-eight (3768), and thirty-seven hundred seventy (3770) of the compiled code of Iowa, and sections thirty-three hundred fifty-two (3352), thirty-seven hundred sixty-seven (3767), and thirty-seven hundred sixty-nine (3769) of the supplement to said code, relating to memorial halls and monuments for soldiers, sailors, and marines.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 53, a bill for an act to amend, revise, and codify chapter ten (10) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to the state fire marshal and the prevention and investigation of fires; to provide the method of procedure in effecting appeals; also to provide a penalty for a violation thereof.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 163, a bill for an act to amend, revise, and codify sections thirty-seven hundred thirty-eight (3738) and thirty-seven hundred

thirty-nine (3739) of the compiled code of Iowa, and sections thirty-seven hundred thirty-four (3734) and thirty-seven hundred thirty-seven-a one (3737-a1) of the supplement to said code, relating to juvenile playgrounds.

Also, 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 to amend, revise, and codify section eighty-five hundred eighty-two (8582) of the compiled code of Iowa, relating to carrying dangerous weapons and permits therefor.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 287, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public, additional to section twenty-nine hundred and forty-two (2942) of the code and chapter one hundred seventy-three of the acts of the Thirty-seventh General Assembly.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 156, a bill for an act to amend, revise, and codify sections three thousand five hundred seventy-five (3575), three thousand five hundred seventy-seven (3577), and three thousand five hundred seventy-eight (3578) of the compiled code of Iowa, and section three thousand five hundred eighty (3580) of the supplement to said code, relating to municipal corporations.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 164, a bill for an act to amend, revise, and codify sections three thousand seven hundred forty-five (3745) to three thousand seven hundred forty-eight (3748), inclusive, of the compiled code of Iowa, and section three thousand seven hundred forty (3740) of the supplement to said code, relating to municipal corporations.

Also, that the Senate has concurred in House Concurrent Resolution No. 4, resolution proposing to memorialize the Congress of the United States to initiate and to pass legislation prohibiting the issuance of tax-free securities by the United States and the several states.

L. W. AINSWORTH, *Secretary.*

#### SENATE MESSAGES CONSIDERED

Senate File No. 287, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public, additional to section twenty-nine hundred and forty-two (2942) of the code and chapter one hundred seventy-three of the acts of the Thirty-seventh General Assembly.

Read first and second times and referred to committee on judiciary.

Senate File No. 19, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-eight (3348) to thirty-three hundred fifty-one (3351), inclusive, thirty-three hundred fifty-three (3353), thirty-seven hundred sixty-five (3765), thirty-seven hundred sixty-eight (3768), and thirty-seven hundred seventy (3770) of the compiled code of Iowa, and sections thirty-three hundred fifty-two (3352), thirty-seven hundred sixty-seven (3767), and thirty-seven hundred sixty-nine (3769) of the supplement to said code, relating to memorial halls and monuments for soldiers, sailors, and marines.

Read first and second times and referred to committee on county and township organization.

Senate File No. 53, a bill for an act to amend, revise, and codify chapter ten (10) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to the state fire marshal and the prevention and investigation of fires; to provide the method of procedure in effecting appeals; also to provide a penalty for a violation thereof.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 247, a bill for an act to amend, revise, and codify section eighty-five hundred eighty-two (8582) of the compiled code of Iowa, relating to carrying dangerous weapons and permits therefor.

Read first and second times and referred to committee on judiciary.

Senate File No. 163, a bill for an act to amend, revise, and codify sections thirty-seven hundred thirty-eight (3738) and thirty-seven hundred thirty-nine (3739) of the compiled code of Iowa, and sections thirty-seven hundred thirty-four (3734) and thirty-seven hundred thirty-seven-a one (3737-a1) of the supplement to said code, relating to juvenile playgrounds.

Read first and second times and referred to committee on municipal corporations.

On motion of Berry of Monroe the House adjourned until 10 a. m. Monday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, DECEMBER 31, 1923.

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

Prayer was offered by the Rev. Paul H. Andreen, pastor of the English Lutheran church, Des Moines, Iowa.

The roll was called to ascertain the presence of a quorum.

Those present were:

Aiken	Gallagher	Leonard	Scott of Fremont
Anderson of	Garber of Floyd	Letts	Slemmons
Webster	Gibson	Long	Smith of
Berry	Gilbert	Mathews	Chickasaw
Blume	Graham	Mathiesen	Smith of Lucas
Bradley	Grimwood	Napier	Stookesberry
Brittain	Hansen	Oliver	Ulstad
Children	Hauge	Ontjes	Venard
Colbert	Healy	Parsons	Vincent
Cole	Held	Patterson	Wamstad
Dewar	Himebauch	Peterson	Williams
Diltz	Huff	Powers	Wolfe
Donhowe	Johnson	Quirk	Mr. Speaker—59
Doolittle	King	Robson	
Edge	Knutson	Sampson	
Fackler	Lake	Schulte	

Those absent were:

Blake	Gesman	Moen	Rust
Brady	Gilbertson	Natvig	Saunders
Buffington	Gilmore	Noble	Schirmer
Carter	Harrison	O'Donnell	Scott of
Clark	Hattendorf	Olson	Appanoose
Criswell	Hempel	Orr	Stock
Dooley	Henderson	Potts	Storey
Dotts	Hollis	Ramsey	Strippel
Edson	Lichty	Rankin	Weber
Elliott	Lieberknecht	Rassler	Wilson
Forsling	Lovrien	Rewoldt	Yenter—49
Frahm	McClune	Rhinehart	
Garber of Adair	Miller	Rumley	

The call of the roll disclosed the presence of a quorum.

## PETITIONS

Slemmons of Buchanan presented a resolution from Camp No. 2605, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Dewar of Cherokee presented a resolution from the city council of Cherokee, urging a more equitable distribution of the primary road fund. Referred to committee on roads and highways.

Journal of December 29th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Harrison of Pottawattamie for the day, on request of Children of Pottawattamie; Rankin of Lee for the day, on request of Children of Pottawattamie; McClune of Mahaska for the day, on request of Brittain of Madison; Rewoldt of Bremer until Wednesday, on request of Garber of Floyd; Frahm of Carroll until Wednesday, on request of Blume of Crawford; Hempel of Clayton for the day, on request of Parsons of Calhoun; Noble of Muscatine for the day, on request of Parsons of Calhoun; Hattendorf of Osceola for the day, on request of Parsons of Calhoun; Henderson of Hamilton for the day, on request of Berry of Monroe; Brady of O'Brien for the day, on request of King of Clay; O'Donnell of Dubuque for the day, on request of Diltz of Polk; Carter of Hardin for the day, on request of Diltz of Polk; Gesman of Marion for the day, on request of Diltz of Polk; Rust of Franklin for the day, on request of Diltz of Polk; Garber of Adair for the day, on request of Diltz of Polk; Wilson of Tama for the day, on request of Diltz of Polk; Edson of Buena Vista for the day, on request of Diltz of Polk; Strippel of Benton for the day, on request of Diltz of Polk; Stock of Al-lamakee for the day, on request of Diltz of Polk; Rhinehart of Dallas for the day, on request of Letts of Washington; Yenter of Johnson for the day, on request of Letts of Washington; Dooley of Van Buren for the day, on request of Slemmons of Buchanan; Gilbertson of Winneshiek for the day, on request of Smith of Lucas; Orr of Keokuk for the day, on request of Smith of Lucas.

On request of Ontjes of Grundy all members absent without leave were excused for the day.

## REPORTS OF COMMITTEES

Gibson of Clarke, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred Senate File No. 135, a bill for an act to amend, revise, and codify sections thirty-two hundred five (3205) of the compiled code of Iowa, and thirty-two hundred six (3206) of the supplement to said code,

relating to 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 amended as follows, and when so amended the bill do pass:

Amend section 1 by striking from lines 13 and 14 the following words: "for each person served, sixty cents (60c), and".

D. M. GIBSON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization to whom was referred Senate File No. 133, a bill for an act to amend, revise, and codify sections thirty-one hundred eighty (3180) and thirty-one hundred eighty-six (3186) of the compiled code of Iowa, relating to county recorders, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

D. M. GIBSON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization to whom was referred Senate File No. 139, a bill for an act to amend, revise, and codify chapter eleven (11) of title twelve (12) of the compiled code of Iowa and section thirty-two hundred sixty-one (3261) of the supplement to said code, relating to county 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, and when so amended the bill do pass:

Amend section eighteen (18), line three (3), by striking out the word "section" and inserting in lieu thereof the word "sections"; also by inserting after the said word "sections" the following: "thirty-two hundred forty-one-a one (3241-a1) and".

D. M. GIBSON, *Chairman*.

Report adopted.

Hauge of Polk moved that the House now adjourn until 10:00 a. m. Wednesday, January 2d.

Brittain of Madison moved to amend the motion by changing the hour from 10:00 a. m. until 2:00 p. m.

Amendment adopted.

Motion of Hauge of Polk, as amended, prevailed and the House stood adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 2, 1924.

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

Prayer was offered by the Rev. Louis E. Watson, pastor of the Wesley M. E. church, Des Moines, Iowa.

Journal of December 31st corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Elliott of Scott indefinitely, on request of Olson of Clinton; Blume of Crawford for the day, on request of Slemmons of Buchanan; Hattendorf of Osceola for the day, on request of Parsons of Calhoun; Strippel of Benton for the day, on request of Stock of Allamakee; Rust of Franklin for the day, on request of Grimwood of Jones; O'Donnell of Dubuque for the day, on request of Gallagher of Iowa; Miller of Shelby for the day, on request of Criswell of Boone; Robson of Greene for the day, on request of Mathews of Des Moines; Wilson of Tama for the day, on request of Lieberknecht of Louisa; Rankin of Lee for the day, on request of Children of Pottawattamie.

## PETITIONS

Held of Plymouth presented a resolution from Camp No. 2392, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Long of Jefferson presented a resolution from Camp No. 2424, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Anderson of Webster presented a resolution from Camp No. 1522, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Ontjes of Grundy presented a resolution from Camp No. 1592, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Smith of Chickasaw presented resolutions from Camps Nos. 1004

and 688, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Hempel of Clayton presented resolutions from Camp No. 1217, Royal Neighbors of America, protesting against any fraternal insurance legislation; also from the Christian Science church, Monona, Iowa, urging amendments to House File No. 92. Referred to committees on insurance and state educational institutions.

Garber of Floyd presented a resolution from Camp No. 323, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Gallagher of Iowa presented a resolution from Camp No. 4653, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Slemmons of Buchanan presented a resolution from Camp No. 1736, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Blake of Fayette presented resolutions from Camps Nos. 8442, 1336, 252, 314, 2557 and 4978, Royal Neighbors of America, and Camps Nos. 354, 2809 and 230, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Dooley of Van Buren presented a resolution from Camp No. 134, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Cole of Harrison presented a resolution from Camps Nos. 174 and 285, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Blake of Fayette presented a petition from citizens of Oelwein, Iowa, urging amendment to House Files Nos. 42 and 92. Referred to committees on labor and state educational institutions.

Schirmer of Jackson presented resolutions from Camps Nos. 552, 1021 and 2071, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Robson of Greene presented resolutions from Camps Nos. 7234

and 5946, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Healy of Hancock presented a resolution from Camp No. 474, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Rewoldt of Bremer presented resolutions from Camps Nos. 447, 4803 and 1586, Royal Neighbors of America, and Camp No. 2839, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Noble of Muscatine presented a resolution from Camp No. 6601, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Letts of Washington presented resolutions from Camp No. 1616, Royal Neighbors of America, protesting against any fraternal insurance legislation; also from the Iowa Rural Letter Carriers of Washington county, opposed to any tax on gasoline. Referred to committees on insurance and ways and means.

Buffington of Mills presented a resolution from Camp No. 2358, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

#### REPORTS OF COMMITTEES

Carter of Hardin, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred House File No. 102, a bill for an act to amend, revise, and codify sections two thousand five hundred eighty-one (2581) and two thousand five hundred eighty-two (2582) of the compiled code of Iowa, 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 as follows, and when so amended the bill do pass:

Amend section three (3), line five (5), by striking out the following words: "between the ages of sixteen (16) and twenty-one (21) years," and inserting in lieu thereof the following: "over sixteen (16) years of age".

L. V. CARTER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred House File No. 100, a bill for an act to amend, revise, and codify sections twenty-five hundred eight (2508), twenty-five hundred nine (2509), twenty-five hundred fifteen (2515) to twenty-five hundred seventeen (2517), inclusive, and twenty-five hundred twenty-six (2526), to twenty-five hundred thirty-four (2534), inclusive, of the compiled code of Iowa, and sections twenty-five hundred twenty-four-a one (2524-a1) to twenty-five hundred twenty-four-a forty (2524-a40), inclusive, and twenty-five hundred twenty-five (2525) of the supplement to said code, 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 as follows, and when so amended the bill do pass:

1. Amend section 1 of the bill by striking from line 4 the words "is more than one", and inserting in lieu thereof the words "are two or more", and by changing the word "corporation" in line 4 to "corporations".

Also amend said section by adding after the word "towns" in line 7 the word "township,".

2. Amend section 3 by striking from line 2 thereof the words "city or town".

3. Amend section 5 by striking from line 4 thereof the word "make" and inserting in lieu thereof the words "recommend to the several boards"; also by striking the word "and" from line 7 and striking out all of lines 8, 9, 10 and 11.

4. Amend section 6 by inserting after the word "writing" in line 6 the following: "and filed with the secretary of the new corporation"; also by striking from line 7 the words "where the matter", and inserting in lieu thereof the following: "by serving notice thereof on such secretary within twenty days after the decision is filed, such appeal".

5. Amend by inserting after section 6 the following:

Sec. 6-A. Additional taxes.

If necessary to equalize such division and distribution, the new board or boards may provide for the levy of additional taxes upon the property of any corporation or part of corporation and for the distribution of the same so as to effect such equalization.

6. Amend section 8 by striking from line 9 the words "not smaller subdivisions than entire forties of land", and inserting in lieu thereof the following "subdivisions not smaller than the smallest tract as made by the government survey".

7. Amend section 47 by adding at the end of subsection 4 the following: Provided, however, that where such district for which petition for dissolution has been filed has not issued bonds, or built a school building, the county superintendent shall at once approve such petition.

L. V. CARTER, *Chairman.*

Report adopted.

Also:

Mr. SPEAKER: Your committee on schools and textbooks to whom was referred House File No. 104, a bill for an act to amend, revise, and codify sections two thousand five hundred ninety-seven (2597) to two thousand five hundred ninety-nine (2599), inclusive, and two thousand six hundred one (2601) of the compiled code of Iowa, 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 do pass.

L. V. CARTER, *Chairman.*

Report adopted.

#### HON. SMITH W. BROOKHART ADDRESSES HOUSE

Criswell of Boone moved that an invitation be extended to the Hon. Smith W. Brookhart, junior United States senator from Iowa, to address the House at this time.

Motion prevailed, and the Speaker appointed Criswell of Boone and Knutson of Cerro Gordo as a committee of two to escort Senator Brookhart to the Speaker's station where he briefly addressed the House.

#### OATH OF OFFICE

The following named committee clerk 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.

BESSIE B. SWENSON.

January 2, 1924.

#### AMENDMENTS FILED

Parsons of Calhoun filed the following amendments to House File No. 149:

Amend House File No. 149 by striking therefrom all after the enacting clause and substituting in lieu thereof the following:

"Section 1. The law as it appears in sections thirty-three hundred eighty-five (3385) to thirty-three hundred ninety-three (3393), inclusive, and section thirty-three hundred ninety-nine (3399) of the compiled code of Iowa is hereby repealed.

Sec. 2. The law as it appears in subsection twenty-four (24) of section thirty-one hundred thirty (3130) of the supplement to the compiled code of Iowa is hereby repealed."

Also amend the title to said bill by striking out all of said title and substituting in lieu thereof the following:

"A bill for an act to repeal sections thirty-three hundred eighty-five (3385) to thirty-three hundred ninety-three (3393), inclusive, and section thirty-three hundred ninety-nine (3399) of the compiled code of Iowa, and subsection twenty-four (24) of section thirty-one hundred thirty (3130) of the supplement to said code, relating to land surveys and county surveyors."

Diltz of Polk filed the following amendment to House File No. 213 as a substitute for the amendment filed by Gallagher of Iowa and found on page 151 of the Journal of December 15th:

Amend section 2 of House File No. 213 by inserting ahead of line one (1) the following:

"Except as otherwise provided, an application for a marriage license shall be in writing, signed by one of the contracting parties and filed in the office of the clerk of the district court at least ten days prior to the issuance of said license. Notice of said application shall be given by the clerk by posting the same in a conspicuous place at the door of the courthouse and by publication in one newspaper published and of general circulation in the county within five days after such application is made.

In cases of emergency, or extraordinary circumstances, any judge of the district or supreme court may, by endorsement on said application, authorize the issuance of the license before the expiration of ten days.

The applicant for said license shall, on making application, advance the cost of publishing notice, but the cost of the license shall not be paid until the same is issued."

On motion of Orr of Keokuk the House adjourned until 10:00 a. m. Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 3, 1924.

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

Prayer was offered by the Rev. Harm Rust, pastor of the Baptist church, Guthrie Center, Iowa.

Journal of January 2d corrected and approved.

## PETITIONS

Graham of Wapello presented resolutions from Camps Nos. 9299, 9350, 3300 and 6897, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Henderson of Hamilton presented resolutions from Camps Nos. 2892 and 1633, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Wamstad of Mitchell presented a resolution from Camp No. 4748, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Saunders of Palo Alto presented a resolution from Camp No. 5590, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Lake of Woodbury presented a resolution from Camp No. 6048, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Dewar of Cherokee presented a resolution from Camp No. 1438, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Edge of Jasper presented a resolution from Camp No. 6773,

Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Fackler of Adams presented resolutions from Camps Nos. 1546 and 3257, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Sampson of Audubon presented a resolution from Camp No. 4060, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Lieberknecht of Louisa presented a resolution from Camp No. 537, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Strippel of Benton presented a resolution from Camp No. 1632, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Hansen of Scott presented resolutions from Camps Nos. 505 and 882, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Dooley of Van Buren presented a petition from residents of Kilbourn, requesting that the ninth grade be placed in the one-room rural schools. Referred to committee on schools and textbooks.

Ontjes of Grundy presented a resolution from the boards of supervisors of Grundy, Hardin and Black Hawk counties, urging the passage of the gasoline tax bill. Referred to committee on ways and means.

Criswell of Boone moved that the remarks of Honorable Smith W. Brookhart, junior United States senator from Iowa, which were made before the House on January 2d, be printed in the Journal. Motion prevailed and it was so ordered.

#### REMARKS OF HONORABLE SMITH W. BROOKHART

*Mr. Speaker and Gentlemen of the House of Representatives:*

I am of course delighted to appear before you. I do not know what I can say that would be of especial interest, but I will call your attention to one matter that has occurred in the Congress of the United States that is of considerable importance to all of the Mississippi valley, the one major proposition which I see at this time will reach the sanction of law during this session of Congress.

I was appointed as a member of a special committee of five in the Senate to make investigations during the vacation of the proposed nine foot channel from Chicago to the gulf, up the Chicago river, down the Des Plaines river, the Illinois river and the Mississippi river. When the committee started the investigations I discovered this situation in reference to the inland water transportation of the Mississippi system: I found that on the Ohio river there had been spent seventy million dollars, but it was not completed and would require about thirty millions more. Therefore, the improvements already made cannot be used to any very great extent. I found on the upper Mississippi to St. Paul there had been spent thirteen million dollars and the same situation. It was not completed and would require about the same amount to complete it, and therefore but little use can be made of the improvements put in the river up to date. On the Missouri river to Kansas City I found seven million dollars had been spent and it will require about twenty millions to complete that. On the lower Mississippi I found that one hundred eight millions had been spent and it will require about seven or eight millions to complete that. Altogether, there had been spent upon this Mississippi river proposition by the government of the United States, some two hundred and fifty-two million dollars of public money. On the Chicago drainage canal the state of Illinois and the city of Chicago have spent about one hundred and twenty millions and nothing completed. All of these Mississippi river projects had been ordered completed by an act of Congress and the time had expired a year and a half to two years ago.

Now I am not able to say just exactly who is responsible for these delays, but somebody headed off the appropriations in the budget committee or some other committee and they were not made and therefore it was impossible to complete any of the parts of this great navigation system. Ninety-two million dollars will complete all of them and extend the government barge line now operated up as far as St. Louis over all of them. Ninety-two million dollars is not a big expenditure compared with the two hundred and fifty-two million dollars the government has already spent and the one hundred and twenty million dollars the state of Illinois has already spent.

When I discovered this situation I told the chairman that it seemed to me that we were going at the whole thing wrong if we intended to complete this great system. It looked to me like one proposition for the Mississippi valley and I proposed to unite them all together and that we finance them as the Panama canal was financed during its construction period and complete it at the earliest possible date. At the rate we are going now and have been going the last few years, it will take twenty-five or thirty years to complete these projects. If we unite them together, provide the finance so it can be done at once, they can be completed in five or six years and at much less cost than to string them out over all that long period.

Senator Reed of Pennsylvania was on the committee but not with us on the investigation. I consulted him first and he approved of uniting them all together and was able to bring Senator Pepper and the delegation of

his state in support of that. This eastern support won the favor of all the other members of the committee and we then decided to propose a resolution asking the House to join with us in a special committee of seven members with our five and consider the whole project together. I will say to you, one thing that was done in the session of Congress so far was the passage of that resolution by the Senate. It has not yet passed the House but I am informed that it will pass the House without objection. If it does, we will be able to complete this water system. It will have this effect upon the railroad rates in the Mississippi valley: Since the building of the Panama canal there has grown up a very great discrimination against the entire Mississippi valley in freight rates. You can ship canned goods from Cedar Rapids, Iowa, to Baltimore, Maryland, put them on a ship and send them through the canal to Seattle, Washington, at a less rate than you can ship them direct to Seattle from Cedar Rapids over the railroads. That discrimination means that anybody in the canning business in Iowa must pay an extra freight to get to Baltimore, Maryland, in order to compete with the factories of the east. That is enough already to put all of our business out of business. A similar discrimination exists all over the Mississippi valley, grown up as a result of the building of the Panama canal which gave the coast lower competitive rates. Railroads have put down the rates to get over to the coast and help to take that business away from the Panama canal traffic, but they maintain the rates high here in the Mississippi valley.

The other big question is, whether the traffic will develop after we complete this river waterway. Of course after spending this amount we can hardly stop, even if it is a bad proposition, but I do not think it will be. The government is operating a barge line now out of the barges built during the war. Colonel Ashburn is in charge. It starts at Birmingham, Alabama, runs down the Alabama river to Mobile, across to New Orleans and up to St. Louis. Part of the Mississippi river is not prepared for it and they have trouble with it in the low stages of water, but this barge line even with those defects has already developed a wonderful traffic. I saw a chart showing shipments from every congressional district in the Mississippi valley from Pennsylvania to and including Colorado over this barge line. I saw a barge at St. Louis with sisal that came from the Philippine Islands by ship to New Orleans where it was transferred to the barge and came to St. Louis and there transferred to rail for Chicago. At the government warehouse in New Orleans I saw goods from all over the Mississippi valley ready to transfer to the ships out to many ports in different parts of the world, and then I saw goods from nearly all ports of the world coming up the Mississippi to be distributed over the Mississippi valley.

Here is the remarkable thing: The opposition to improving the Mississippi river has been largely based on the theory that the traffic would all be down the river and the boats would come back empty, but the operation of this barge line for four years has demonstrated that a slightly greater tonnage has been taken up the river than down.

With those things demonstrated, it would seem that the benefits to the

Mississippi valley, if this can be speedily established, so far as regulating and lowering freight rates are concerned, will be about as valuable as if we can repeal the transportation act and squeeze the water out of the railroads themselves.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 173 and 227.

House Files Nos. 156, 164 and 272.

House Joint Resolution No. 3.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 156, 164 and 272; House Joint Resolution No. 3; Senate Files Nos. 173 and 227.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully report that they have on this third day of January, 1924, sent to the governor for his approval: House Files Nos. 156, 164, 272 and House Joint Resolution No. 3.

C. F. LETTS, *Chairman.*

Report adopted.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Clark of Linn, unanimous consent having been given, House File No. 58, a bill for an act to amend, revise, and codify sections twelve hundred fourteen (1214), twelve hundred seventeen (1217), twelve hundred eighteen (1218), twelve hundred twenty-two (1222) and twelve hundred twenty-six (1226) of the compiled code of Iowa and section twelve hundred nineteen (1219) of the supplement to said code, relating to the practice of professional engineering and land surveying, with Senate amendments, as found on page 193 of the House Journal of

December 21st, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Anderson of Webster	Gallagher	Lieberknecht	Saunders
Berry	Garber of Adair	Long	Schirmer
Blake	Garber of Floyd	Lovrien	Schulte
Blume	Gesman	McClune	Scott of Fremont
Bradley	Gibson	Mathews	Slemmons
Brady	Gilbert	Matthiesen	Smith of Chickasaw
Brittain	Gilbertson	Miller	Smith of Lucas
Buffington	Gilmore	Moen	Stock
Carter	Graham	Napier	Stookesberry
Children	Harrison	Natvig	Storey
Clark	Hattendorf	Noble	Strippel
Colbert	Healy	Oliver	Ulstad
Cole	Held	Olson	Venard
Criswell	Hempel	Ontjes	Vincent
Dewar	Henderson	Orr	Wamstad
Diltz	Himebauch	Parsons	Weber
Donhowe	Huff	Peterson	Williams
Dooley	Johnson	Powers	Wilson
Dotts	King	Quirk	Wolfe
Edge	Knutson	Rankin	Mr. Speaker—88
Fackler	Lake	Robson	
Frahm	Letts	Rust	
	Lichty	Sampson	

The nays were, none.

Absent or not voting:

Alken	Hansen	Patterson	Rhinehart
Doolittle	Hauge	Potts	Rumley
Edson	Hollis	Ramsey	Scott of Appanoose
Elliott	Leonard	Rassler	Yenter—20
Forsling	O'Donnell	Rewoldt	
Grimwood			

So the House concurred in the Senate amendments to House File No. 58.

#### CONSIDERATION OF BILLS

House File No. 279, a bill for an act to amend, revise, and codify section thirty-two hundred twenty-nine (3229) of the compiled code of Iowa, and section thirty-two hundred twenty-eight (3228) of the supplement to said code, relating to the coroner, with report of committee recommending passage, was taken up for consideration.

By unanimous consent, Senate File No. 279 was withdrawn from the committee and substituted for House File No. 279.

Senate File No. 279, a bill for an act to amend, revise, and codify section thirty-two hundred twenty-nine (3229) of the compiled code of Iowa, and section thirty-two hundred twenty-eight (3228) of the supplement to said code, relating to the coroner, was taken up for consideration.

The amendment filed by Himebauch of Emmet and found on page 199 of the House Journal of December 22d was taken up and considered.

Mr. Himebauch moved the adoption of the amendment. Motion prevailed.

Parsons of Calhoun moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Frahm	Leonard	Robson
Anderson of	Gallagher	Lichty	Sampson
Webster	Garber of Adair	Lieberknecht	Saunders
Berry	Garber of Floyd	Long	Schirmer
Blake	Gesman	Lovrien	Schulte
Blume	Gibson	McClune	Scott of Fremont
Bradley	Gilbert	Mathews	Slemmons
Brady	Gilbertson	Matthiesen	Smith of
Brittain	Gilmore	Miller	Chickasaw
Buffington	Graham	Moen	Smith of Lucas
Carter	Hansen	Napier	Stock
Children	Harrison	Natvig	Stokesberry
Clark	Hattendorf	Noble	Storey
Colbert	Healy	Oliver	Strippel
Cole	Held	Ontjes	Ulstad
Criswell	Hempel	Orr	Venard
Dewar	Henderson	Parsons	Vincent
Diltz	Himebauch	Patterson	Wamstad
Donhowe	Hollis	Peterson	Weber
Dooley	Huff	Powers	Williams
Dotts	Johnson	Quirk	Wilson
Edge	King	Rankin	Wolfe
Edson	Knutson	Rassler	Mr. Speaker—93
Fackler	Lake	Rhinehart	

The nays were, none.

Absent or not voting:

Doolittle	Hauge	Potts	Rust
Elliott	Letts	Ramsey	Scott of
Forsling	O'Donnell	Rewoldt	Appanoose
Grimwood	Olson	Rumley	Yenter—15

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File No. 74, a bill for an act to amend, revise, and codify chapter nine (9) of title twenty-one (21) of the compiled code of Iowa, relating to limited partnership, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Garber of Adair the amendments proposed by the committee, found on pages 175 and 176 of the Journal of December 20th, were adopted.

Oliver of Monona offered the following amendment:

Amend section four (4) of House File No. 74 by striking the period (.) at the end of line two (2), and adding the following words: "except private banking."

On motion of Donhowe of Story further action on House File No. 74 was deferred.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Grimwood of Jones for the remainder of the forenoon, on request of Gibson of Clarke.

#### AMENDMENTS FILED

Children of Pottawattamie filed the following amendment to House File No. 213:

Amend section five (5) of House File No. 213 by striking out lines sixteen (16) and seventeen (17) thereof.

Carter of Hardin filed the following amendments to House File No. 102:

Amend House File No. 102 by adding after section three (3) the following:

That section two thousand five hundred eighty-three (2583) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Section 4. The board of directors in any independent school district situated in whole or in part in any town of five thousand population or over, according to the last state or federal census, in which there shall reside or be employed, or both, fifteen (15) or more children over fourteen (14) years of age and under sixteen (16) years of age, who are not in regular attendance in a full time day school, shall establish and maintain part-time schools, departments or classes for such children and all persons having custody of such children shall cause them to attend the same.

Amend the title to House File No. 102 by striking out the word "and" following the figures "(2581)" and insert in lieu thereof a comma; also by inserting after the figures "(2582)" the following: "two thousand five hundred eighty-three (2583)".

#### CONSIDERATION OF BILLS

Senate File No. 139, a bill for an act to amend, revise, and codify chapter eleven (11) of title twelve (12) of the compiled code of Iowa and section thirty-two hundred sixty-one (3261) of the supplement to said code, relating to county bonds, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Gibson of Clarke the amendments proposed by the committee, found on page 208 of the Journal of December 31st, were adopted.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File No. 139 by adding after section 18 thereof the following:

##### Sec. 19. County not to become stockholder.

No county shall, in its corporate capacity, or by its supervisors or officers, directly or indirectly, subscribe for stock, or become interested as a partner, shareholder or otherwise, in any banking institution, plank road, turnpike, railway, or work of internal improvement; nor shall it issue any bonds, bills of credit, scrip, or other evidence of indebtedness, for any such purposes; and all such evidences of indebtedness for said purposes are hereby declared void, and no assignment of the same shall give them validity; but this section shall not be so construed as to prevent counties from lawfully erecting their necessary public buildings and bridges, laying off highways, streets, alleys, and public grounds, or other local works in which such counties may be interested.

##### Sec. 20. Actions on bonds—county not estopped.

In all actions now pending, or hereafter brought, in any court in this state, on any bond or coupon issued, or purporting to be issued, by any county for the purposes prohibited in this chapter, a former recovery against such corporation on any one or more or any part of such bonds or coupons shall not bar or estop such corporation from setting up any defense it has made, or could have made, to such bonds or coupons in the action in which such former recovery was had, but the county may allege and prove any matter of defense in such action to the same extent, and with the same effect, as though no former action had been brought, or former recovery had.

Sec. 21. Breach of duty—misdemeanor.

Any officer of any county, or any deputy or employee of such officer, who violates any of the provisions of the two preceding sections, shall be guilty of a misdemeanor, and fined not less than one hundred dollars, nor more than five hundred dollars, for each offense.

Amendment adopted.

SPECIAL ORDER

Time having arrived for the special order set for 11:00 a. m., the motion to reconsider, filed by Williams of Montgomery and Garber of Adair and found on page 172 of the Journal of December 19th, was taken up and considered and the motion to reconsider prevailed.

Patterson of Kossuth offered the following substitute for the motion to rerefer odd-numbered bills back to standing committees:

MR. SPEAKER: I move to substitute for the motion which passed the House on December 19th and which is found on page 169 of the Journal, the following:

"Standing committees may file reports on odd-numbered House bills and such reports may be received and printed in the Journal for the information of the House; but such odd-numbered House bills shall be placed on the calendar following Senate bills and even-numbered House bills.

No Senate bill shall be substituted for a House bill on the calendar, unless such bills and all amendments thereto are identical, without first being referred to and reported on by the appropriate standing committee of the House."

CONSIDERATION OF BILLS

The House resumed consideration of Senate File No. 139.

Smith of Chickasaw moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Carter	Dotts	Gilmore
Anderson of	Children	Fackler	Graham
Webster	Clark	Gallagher	Hansen
Blake	Colbert	Garber of Floyd	Harrison
Blume	Cole	Gesman	Hattendorf
Bradley	Criswell	Gibson	Healy
Brittain	Dewar	Gilbert	Held
Buffington	Dooley	Gilbertson	Hempel

Henderson	McClune	Quirk	Slemmons
Himebauch	Mathews	Rankin	Smith of Lucas
Hollis	Matthiesen	Rewoldt	Stock
Huff	Moen	Rhinehart	Stokesberry
Johnson	Napier	Robson	Storey
King	Natvig	Rumley	Strippel
Knutson	Noble	Rust	Venard
Lake	Oliver	Sampson	Wamstad
Leonard	Olson	Saunders	Weber
Letts	Ontjes	Schirmer	Williams
Lichty	Parsons	Schulte	Wilson
Lieberknecht	Patterson	Scott of Fremont	Wolfe
Long	Peterson	Smith of	Mr. Speaker—85
Lovrien	Powers	Chickasaw	

The nays were:

Edson                      Orr—2

Absent or not voting:

Berry	Forsling	O'Donnell	Ulstad
Brady	Frahm	Potts	Vincent
Diltz	Garber of Adair	Ramsey	Yenter—21
Doolittle	Grimwood	Rassler	
Edge	Hauge	Scott of	
Elliott	Miller	Appanoose	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 133, a bill for an act to amend, revise, and codify sections thirty-one hundred eighty (3180) and thirty-one hundred eighty-six (3186) of the compiled code of Iowa, relating to county recorders, with report of committee recommending passage, was taken up for consideration.

Diltz of Polk offered the following amendment and moved its adoption:

Amend section two (2) of Senate File No. 133 by adding thereto the following:

“Where not otherwise already required by law the recorder shall also enter in the index book the exact time of the filing of each instrument.”

Amendment adopted.

Gibson of Clarke moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question “Shall the bill pass?”

The ayes were:

Aiken	Gallagher	Lichty	Robson
Anderson of Webster	Garber of Adair	Lieberknecht	Rust
Blake	Garber of Floyd	Long	Sampson
Blume	Gesman	Lovrien	Saunders
Bradley	Gibson	McClune	Schirmer
Brady	Gilbert	Mathews	Schulte
Brittain	Gilbertson	Matthiesen	Scott of Fremont
Buffington	Hansen	Miller	Slemmons
Carter	Hattendorf	Moen	Smith of Chickasaw
Children	Hauge	Napier	Smith of Lucas
Clark	Healy	Natvig	Stock
Colbert	Held	Noble	Stookesberry
Cole	Hempel	Oliver	Storey
Criswell	Henderson	Olson	Strippel
Dewar	Himebauch	Ontjes	Venard
Diltz	Hollis	Orr	Vincent
Donhowe	Huff	Parsons	Wamstad
Dooley	Johnson	Patterson	Weber
Dotts	King	Peterson	Williams
Edson	Knutson	Powers	Wilson
Fackler	Lake	Quirk	Wolfe
Frahm	Leonard	Rankin	Mr. Speaker—90
	Letts	Rhinehart	

The nays were, none.

Absent or not voting:

Berry	Gilmore	Potts	Scott of Appanoose
Doolittle	Graham	Ramsey	Ulstad
Edge	Grimwood	Rassler	Yenter—18
Elliott	Harrison	Rewoldt	
Forsling	O'Donnell	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 135, a bill for an act to amend, revise, and codify sections thirty-two hundred five (3205) of the compiled code of Iowa, and thirty-two hundred six (3206) of the supplement to said code, relating to the sheriff, with report of committee recommending amendment and passage, was taken up for consideration.

Slemmons of Buchanan offered the following amendment and moved its adoption:

Amend Senate File No. 135 by inserting in line 1, section 1, between the words "and" and "collect" the words "be entitled to".

Amendment adopted.

Lake of Woodbury offered the following amendment and moved its adoption:

Amend section one (1), paragraph eleven (11), Senate File No. 135 by striking out all of the words following the semi-colon in lines forty (40) and forty-one (41).

A roll call was demanded.

Himebauch of Emmet asked unanimous consent to have further action on Senate File No. 135 deferred.

Objection was made.

Himebauch of Emmet moved that further action on Senate File No. 135 be deferred.

Motion lost.

McClune of Mahaska moved that the House now adjourn until 10:00 a. m. Friday.

Motion lost.

On the question "Shall the amendment offered by Lake of Woodbury be adopted?"

The ayes were:

Blake	Garber of Floyd	McClune	Rumley
Brady	Gesman	Miller	Rust
Brittain	Gilmore	Moen	Schulte
Buffington	Graham	Napier	Scott of Fremont
Carter	Healy	Natvig	Smith of
Cole	Hempel	Oliver	Chickasaw
Dooley	Johnson	Ontjes	Stookesberry
Dotts	King	Peterson	Weber
Edson	Lake	Quirk	Wolfe—38
Fackler	Long	Rhinehart	

The nays were:

Aiken	Gallagher	Leonard	Slemmons
Anderson of	Garber of Adair	Letts	Smith of Lucas
Webster		Lichty	Stock
Berry	Gilbert	Lieberknecht	Storey
Blume	Gilbertson	Lovrien	Strippel
Bradley	Hansen	Mathews	Venard
Children	Harrison	Matthiesen	Vincent
Colbert	Hattendorf	Orr	Wamstad
Criswell	Held	Parsons	Williams
Dewar	Henderson	Patterson	Wilson
Diltz	Himebauch	Rankin	Mr. Speaker—52
Donhowe	Hollis	Robson	
Edge	Huff	Saunders	
Frahm	Knutson	Schirmer	

## Absent or not voting:-

Clark	Hauge	Powers	Scott of
Doolittle	Noble	Ramsey	Appanoose
Elliott	O'Donnell	Rassler	Ulstad
Forsling	Olson	Rewoldt	Yenter—18
Grimwood	Potts	Sampson	

The amendment was lost.

McClune of Mahaska offered the following amendment as a substitute for the committee amendment to Senate File No. 135:

Amend paragraph four (4) of section one (1) by substituting therefor the following:

4. For summoning a grand or trial jury, all necessary and actual expenses incurred by him.

On motion of McClune of Mahaska the House adjourned until 10:00 a. m. Friday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 4, 1924.

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

Prayer was offered by the Rev. Sampson Cocks, pastor of the Westminster Presbyterian church, Des Moines, Iowa.

Journal of January 3d corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Ramsey of Butler for the day, on request of Vincent of Guthrie.

## PETITIONS

Gilbert of Marshall presented petitions from voters of Marshall county, protesting against the placing of private schools under the state superintendent. Referred to committee on schools and textbooks.

Olson of Clinton presented a petition from citizens of Grand Mound, urging an amendment relative to the closed season on coon hunting. Referred to committee on fish and game.

Harrison of Pottawattamie presented a resolution from Camp No. 416, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Orr of Keokuk presented a resolution from Camp No. 2576, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Parsons of Calhoun presented a resolution from Camp No. 1233, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

## 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. 227, a bill for an act to amend, revise, and codify section seven thousand one hundred forty-eight (7148) of the compiled code of Iowa, relating to the place of bringing actions.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 258, a bill for an act to amend, revise, and codify sections forty-two hundred nineteen (4219), forty-two hundred nineteen-a one (4219-a1), and forty-two hundred twenty-four (4224) of the supplement to the compiled code of Iowa, relating to the nomination and election of officers, employes, and assistants in cities acting under the commission form of government.

L. W. AINSWORTH, *Secretary.*

#### SENATE AMENDMENTS TO HOUSE FILE NO. 258

Amend section 25, line 15 thereof, by striking out the word "or" and inserting the words "and are" in lieu thereof.

#### REPORTS OF COMMITTEES

Graham of Wapello, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections to whom was referred House File No. 34, a bill for an act to amend, revise, and codify chapter twenty-one (21) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to removal from 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 do pass.

S. L. GRAHAM, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on elections to whom was referred House File No. 28, a bill for an act to amend, revise, and codify section five hundred thirty-five (535) of the supplement to the compiled code of Iowa, relating to the election of presidential electors, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

S. L. GRAHAM, *Chairman.*

Report adopted.

#### COMMITTEE ACTION ON ODD-NUMBERED HOUSE BILLS

Patterson of Kossuth called up the substitute motion relative to odd-numbered bills, found on page 228 of the Journal of January 3d, and moved that it be substituted for the motion found on page 169 of the Journal of December 19th, relative to odd-numbered bills.

Motion prevailed and the substitution was made.

On motion of Mr. Patterson the substitute motion was adopted.

## CONSIDERATION OF BILLS

House File No. 74, a bill for an act to amend, revise, and codify chapter nine (9) of title twenty-one (21) of the compiled code of Iowa, relating to limited partnership, was taken up for further consideration.

Diltz of Polk offered the following amendment to the amendment offered by Oliver of Monona and moved its adoption:

Amend the amendment proposed by Oliver of Monona, as found on page 226 of the Journal of January 3d, by striking therefrom the word "private".

Amendment adopted.

On motion of Oliver of Monona the amendment offered by him, as amended, was adopted.

Garber of Adair moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gesman	McClune	Saunders
Webster	Gibson	Mathews	Schirmer
Berry	Gilbert	Matthiesen	Schulte
Blake	Gilbertson	Miller	Scott of
Blume	Gilmore	Moen	Appanoose
Bradley	Graham	Napler	Scott of Fremont
Brady	Grimwood	Natvig	Slemmons
Brittain	Hansen	Noble	Smith of
Buffington	Hattendorf	O'Donnell	Chickasaw
Children	Hauge	Oliver	Smith of Lucas
Clark	Healy	Olson	Stock
Colbert	Held	Ontjes	Stookesberry
Cole	Hempel	Orr	Storey
Criswell	Henderson	Parsons	Strippel
Dewar	Himebauch	Patterson	Ulstad
Diltz	Hollia	Peterson	Venard
Donhowe	Huff	Potts	Vincent
Dooley	Johnson	Powers	Wamstad
Doolittle	King	Quirk	Weber
Dotts	Knutson	Rankin	Williams
Edge	Lake	Rassler	Wilson
Edson	Leonard	Rewoldt	Wolfe
Fackler	Letts	Rhinehart	Yenter
Forsling	Lichty	Robson	Mr. Speaker—102
Gallagher	Lieberknecht	Rumley	
Garber of Adair	Long	Rust	
Garber of Floyd	Lovrien	Sampson	

The nays were, none.

Absent or not voting:

Aiken	Elliott	Harrison
Carter	Frahm	Ramsey—6

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House resumed consideration of Senate File No. 135, a bill for an act to amend, revise, and codify sections thirty-two hundred five (3205) of the compiled code of Iowa, and thirty-two hundred six (3206) of the supplement to said code, relating to the sheriff.

The amendment proposed by McClune of Mahaska, found on page 232 of the Journal of January 3d, was considered and, on motion of Mr. McClune, was substituted for the committee amendments.

On motion of Mr. McClune the substitute for the committee amendments was adopted.

Lake of Woodbury offered the following amendment:

Amend Senate File No. 135 by adding the following to paragraph eleven (11), section one (1):

Provided, however, in counties in which is located a city having a population of twenty thousand (20,000) or more, no fee shall be allowed the sheriff for lodging prisoners.

Criswell of Boone moved that further action on Senate File No. 135 be deferred and that the bill be made a special order for Wednesday, January 9th, at 11:00 a. m.

Motion prevailed.

House File No. 100, a bill for an act to amend, revise, and codify sections twenty-five hundred eight (2508), twenty-five hundred nine (2509), twenty-five hundred fifteen (2515) to twenty-five hundred seventeen (2517), inclusive, and twenty-five hundred twenty-six (2526) to twenty-five hundred thirty-four (2534), inclusive, of the compiled code of Iowa, and sections twenty-five hundred twenty-four-a one (2524-a1) to twenty-five hundred twenty-four-a forty (2524-a40), inclusive, and twenty-five hundred twenty-five (2525) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up for consideration.

**Edson of Buena Vista** offered the following amendment to House File No. 100 :

Amend section 36 of House File No. 100 by changing the period to a comma at the end thereof and by adding thereto the following: "if such appeal or litigation is commenced before the new board is elected and qualifies."

**Williams of Montgomery** offered the following amendment to House File No. 100:

Amend section 4 of House File No. 100 by adding after the word and figures "twenty (20)" in line 4, the following: "of title ten (10)".

**Slemmons of Buchanan** moved that action on House File No. 100 be deferred.

**Motion prevailed.**

House File No. 102, a bill for an act to amend, revise, and codify sections two thousand five hundred eighty-one (2581) and two thousand five hundred eighty-two (2582) of the compiled code of Iowa, relating to education, with report of committee recommending amendment and passage, was taken up for consideration.

**Carter of Hardin** offered the following amendment and moved its adoption :

Amend House File No. 102, section two (2), lines one (1) and two (2), by striking out the following words: "between the ages of sixteen (16) and twenty-one (21) years" and inserting in lieu thereof the following: "over sixteen (16) years of age".

**Amendment adopted.**

On motion of **Hauge of Polk** further action on House File No. 102 was deferred.

House File No. 104, a bill for an act to amend, revise, and codify sections two thousand five hundred ninety-seven (2597) to two thousand five hundred ninety-nine (2599), inclusive, and two thousand six hundred one (2601) of the compiled code of Iowa, relating to education, with report of committee recommending passage, was taken up for consideration.

**Held of Plymouth** moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gallagher	Lovrien	Saunders
Webster	Garber of Adair	McClune	Schirmer
Berry	Garber of Floyd	Mathews	Schulte
Blake	Gesman	Matthiesen	Scott of
Blume	Gibson	Miller	Appanoose
Bradley	Gilbert	Moen	Scott of Fremont
Brady	Gilbertson	Napier	Slemmons
Brittain	Grimwood	Natvig	Smith of
Buffington	Hattendorf	Noble	Chickasaw
Carter	Hauge	O'Donnell	Smith of Lucas
Children	Healy	Oliver	Stock
Clark	Held	Ontjes	Stokesberry
Colbert	Hempel	Parsons	Storey
Cole	Henderson	Patterson	Strippel
Criswell	Himebauch	Peterson	Ulstad
Dewar	Hollis	Potts	Venard
Diltz	Johnson	Powers	Vincent
Donhowe	King	Quirk	Wamstad
Dooley	Knutson	Rassler	Weber
Dotts	Lake	Rewoldt	Wilson
Edge	Leonard	Rhinehart	Wolfe
Edson	Letts	Robson	Yenter
Fackler	Lichty	Rumley	Mr. Speaker—95
Forsling	Lieberknecht	Rust	
Frahm	Long	Sampson	

The nays were, none.

Absent or not voting:

Aiken	Graham	Olson	Williams—13
Doolittle	Hansen	Orr	
Elliott	Harrison	Ramsey	
Gilmore	Huff	Rankin	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CONCURRENT RESOLUTION NO. 6

Carter of Hardin offered the following concurrent resolution:

*Be It Resolved by the House, the Senate concurring:* That the code commissioners be instructed to prepare and introduce a budget bill at their earliest convenience.

Laid over under rule 34.

Hauge of Polk offered the following amendment to concurrent resolution No. 6, by Carter of Hardin:

Amend House Concurrent Resolution No. 6, by striking therefrom the following: "code commissioners" and inserting in lieu thereof "the joint committees on ways and means of the House and Senate".

On motion of Gilbertson of Winneshiek the House adjourned until 10:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 5, 1924.

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

Prayer was offered by the Rev. Melvin Vernon Higbee, pastor of the First Presbyterian church, Boone, Iowa.

Journal of January 4th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Bradley of Poweshiek for the day, on request of Donhowe of Story; Harrison of Pottawattamie for the day, on request of Moen of Lyon.

## PETITIONS

Knutson of Cerro Gordo presented a resolution from Camp No. 7669, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Doolittle of Delaware presented a resolution from Camp No. 1131, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Hempel of Clayton presented a resolution from Camp No. 156, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Scott of Appanoose presented a resolution from Camp No. 571, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

## REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 270, a bill for an act to amend, revise, and codify sections eighty-

one hundred eighty-two (8182), eighty-one hundred eighty-three (8183), and eighty-one hundred eighty-four (8184) of the compiled code of Iowa, relating to the forfeiture of contracts to sell or to agree to sell an interest in 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 amended as follows, and when so amended the bill do pass:

Amend section 2 by striking out of line 2 thereof the words "the party who has acquired his rights" and inserting in lieu thereof the words "his successor in interest".

Amend section 2 by inserting after the word "known" in line 4 thereof the words "to the vendor or his successor in interest".

Amend section 2 by striking out subsection 3 thereof and inserting in lieu thereof the following:

"3. Notify said party that said contract will stand forfeited and cancelled unless said party within thirty (30) days after the completed service of said notice performs the terms and conditions in default, and, in addition, pays the reasonable costs of serving the notice."

Amend by striking out all of section 3 and renumbering the sections following.

Amend section 7 by striking out of the headnote and line 1, the word "chapter" and inserting in lieu thereof in each place the word "act".

C. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 271, a bill for an act to amend, revise, and codify section eighty-one hundred twenty-three (8123) of the compiled code of Iowa, relating to abstracts of title in partition proceedings, beg leave to report they have had 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. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 287, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public, additional to section twenty-nine hundred and forty-two (2942) of the code and chapter one hundred seventy-three of the acts of the Thirty-seventh 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.

C. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 246, a bill for an act to amend, revise and codify sections seventy hundred thirty-two (7032) eighty-four hundred eighty-six (8486), eighty-four hundred ninety (8490), eighty-four hundred ninety-one (8491), eighty-four hundred ninety-five (8495), eighty-four hundred ninety-six (8496), eighty-four hundred ninety-seven (8497), eighty-four hundred ninety-nine (8499), eighty-five hundred (8500), eighty-five hundred two (8502), eighty-five hundred four (8504) and eighty-five hundred twenty-eight (8528) of the compiled code of Iowa, relating 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 be amended as follows, and when so amended the bill do pass:

Amend section 2 by striking out of line 2 the words and figures "sixty (60) days" and inserting in lieu thereof the words and figure "three (3) months".

Amend section 6 by striking from lines 2 and 3 the words and figure "five (5) months after the entry of judgment or order appealed from" and inserting in lieu thereof the words and figures "thirty (30) days before the second term after the appeal was taken".

Amend section 6 by striking from line 3 the word and figures "forty (40)" and inserting in lieu thereof the word and figures "fifteen (15)".

Amend section 8 by striking from lines 1 and 2 the words and figure "five (5) months after the entry of judgment or order appealed from" and inserting in lieu thereof "thirty (30) days before the second term after the appeal was taken".

Amend section 14 by inserting after the word "have" in line 3, the word "been".

C. F. CLARK, *Chairman*.

Report adopted.

Graham of Wapello, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections to whom was referred House File No. 22, a bill for an act to amend, revise, and codify chapter three (3) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to nominations by caucus, convention, or petition, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

S. L. GRAHAM, *Chairman*.

Report adopted.

Carter of Hardin, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred House File No. 87, a bill for an act to amend, revise, and codify chapter three (3) of title ten (10) of the compiled code of Iowa, and of the supplement to said code, 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 as follows, and when so amended the bill do pass:

Amend by adding at the end of section 10: "until July first, nineteen hundred twenty-five (1925)".

L. V. CARTER, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred House File No. 112, a bill for an act to amend, revise, and codify section two thousand six hundred ninety-nine (2699) of the compiled code of Iowa, 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 indefinitely postponed.

L. V. CARTER, *Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File No. 58.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill:

House File No. 58.

#### CONSIDERATION OF BILLS

House File No. 213, a bill for an act to amend, revise, and codify sections sixty-five hundred eighty-nine (6589), sixty-five hundred ninety (6590), sixty-five hundred ninety-six (6596) and sixty-six hundred (6600) of the compiled code of Iowa, and

sections **sixty-six** hundred thirty-seven (6637) and **eighty-six** hundred **eighteen** (8618) of the supplement to said code, relating to **marriages** and incest, with report of committee recommending **amendment** and passage, was taken up for consideration.

Potts of Lee offered the following substitute amendment for the committee amendments and moved its adoption:

Amend the committee amendments to House File No. 213, as found on page 124 of the Journal of December 13th, by striking out said amendments and inserting in lieu thereof the following:

Amend section five (5) by striking from said section lines six (6) and seven (7) and inserting in lieu thereof the following: "Name of person giving consent to marriage in case the male is a minor or the female is under eighteen years of age and the relationship of such person to bride or groom."

Amendment adopted.

The substitute amendment filed by Diltz of Polk, found on page 218 of the Journal of January 2d, was taken up and considered.

On motion of Mr. Diltz the amendment was substituted for the amendment filed by Gallagher of Iowa, found on page 151 of the Journal of December 15th.

Forsling of Woodbury moved to reconsider the vote by which the amendment offered by Diltz of Polk was substituted for the amendment filed by Gallagher of Iowa.

Motion prevailed.

On request of Diltz of Polk, unanimous consent having been obtained, the amendment offered by him was withdrawn from further consideration by the House.

Forsling of Woodbury offered the following amendment as a substitute for the amendment filed by Gallagher of Iowa:

Amend House File No. 213 by inserting after section one (1) the following:

"Sec. 1-a1. Except as otherwise provided, an application for marriage license shall be in writing signed by one of the contracting parties and filed in the office of the clerk of the district court at least ten days prior to the issuance of said license. A judge of a court of record may authorize the issuance of a license by endorsement on the application before the expiration of the ten days."

Brittain of Madison moved the previous question as applied to the substitute amendment and all pending amendments.

Motion prevailed.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Aiken of Ida for the remainder of the day, on request of Held of Plymouth; Gilbert of Marshall for the remainder of the day, on request of Edson of Buena Vista; Graham of Wapello for the remainder of the day, on request of Rassler of Poca-hontas.

On the question "Shall the amendment by Forsling of Woodbury be substituted for the amendment offered by Gallagher of Iowa?" a roll call was demanded.

The ayes were:

Anderson	Gallagher	Lovrien	Schulte
of Webster	Garber of Adair	McClune	Scott of
Blake	Gesman	Matthiesen	Appanoose
Blume	Gibson	Miller	Scott of
Brady	Gilbertson	Moen	Fremont
Brittain	Gilmore	Napier	Slemmons
Buffington	Grimwood	Noble	Smith of
Carter	Hansen	Oliver	Chickasaw
Clark	Hauge	Olson	Smith of Lucas
Colbert	Healy	Ontjes	Stock
Cole	Held	Parsons	Stookesberry
Criswell	Hempel	Patterson	Strippel
Dewar	Henderson	Peterson	Ulstad
Diltz	Himebauch	Powers	Venard
Donhowe	Hollis	Quirk	Vincent
Dooley	Johnson	Rankin	Wamstad
Doolittle	King	Rewoldt	Weber
Dotts	Knutson	Rhinehart	Wilson
Edge	Lake	Rust	Wolfe
Edson	Letts	Sampson	Mr. Speaker—82
Forsling	Lichty	Saunders	
Frahm	Lieberknecht	Schirmer	

The nays were:

Children	Leonard	Orr	Robson—13
Garber of Floyd	Long	Potts	
Hattendorf	Mathews	Ramsey	
Huff	O'Donnell	Rassler	

Absent or not voting:

Aiken	Fackler	Natvig	Yenter—13
Berry	Gilbert	Rumley	
Bradley	Graham	Storey	
Elliott	Harrison	Williams	

The amendment offered by Forsling of Woodbury was substituted for the amendment filed by Gallagher of Iowa.

On the question "Shall the substitute amendment offered by Forsling of Woodbury be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Gibson Gilmore	Lieberknecht Lovrien	Schirmer Schulte
Berry	Grimwood	Matthiesen	Scott of Fremont
Brittain	Hauge	Miller	Slemmons
Buffington	Healy	Moen	Smith of Chickasaw
Carter	Held	Napier	Stock
Clark	Hempel	Ontjes	Strippel
Dewar	Henderson	Parsons	Vincent
Diltz	Himebauch	Patterson	Wamstad
Doolittle	Hollis	Peterson	Weber
Edge	Johnson	Ramsey	Wilson
Edson	King	Rankin	Mr. Speaker—59
Forsling	Knutson	Rewoldt	
Gallagher	Lake	Rust	
Garber of Adair	Letts	Sampson	
Gesman	Lichty	Saunders	

The nays were:

Blake	Garber of Floyd	O'Donnell.	Scott of Appanoose
Blume	Gilbertson	Oliver	Smith of Lucas
Brady	Hansen	Olson	Stookesberry
Children	Hattendorf	Orr	Ulstad
Colbert	Huff	Potts	Venard
Cole	Leonard	Powers	Williams
Criswell	Long	Quirk	Wolfe
Dooley	McClune	Rassler	Yenter—37
Fackler	Mathews	Robson	
Frahm	Noble		

Absent or not voting:

Aiken	Dotts	Graham	Rhinehart
Bradley	Elliott	Harrison	Rumley
Donhowe	Gilbert	Natvig	Storey—12

The substitute amendment offered by Forsling of Woodbury was adopted.

The amendment filed by Clark of Linn and found on page 164 of the Journal of December 18th was taken up and considered and, on motion of Mr. Clark, adopted.

Children of Pottawattamie moved that the House now adjourn until 10:00 a. m. Monday.

Motion lost.

The amendment filed by Children of Pottawattamie and found on page 226 of the Journal of January 3d was taken up and considered and, on motion of Mr. Children, adopted.

Potts of Lee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Berry	Gibson	Lieberknecht	Sampson
Blume	Gilbertson	Lovrien	Saunders
Brittain	Gilmore	Mathews	Schirmer
Buffington	Grimwood	Mathiesen	Schulte
Carter	Hansen	Moen	Scott of Fremont
Clark	Hattendorf	Napier	Slemmons
Colbert	Hauge	O'Donnell	Smith of
Cole	Healy	Oliver	Chickasaw
Criswell	Held	Ontjes	Stock
Dewar	Hempel	Orr	Strippel
Diltz	Henderson	Parsons	Vincent
Donhowe	Himebauch	Patterson	Wamstad
Doolittle	Hollis	Peterson	Weber
Edge	Johnson	Potts	Williams
Edson	King	Rankin	Wilson
Forsling	Lake	Rewoldt	Wolfe
Gallagher	Leonard	Rhinehart	Yenter
Garber of Adair	Letts	Robson	Mr. Speaker—74
Gesman	Lichty	Rust	

The nays were:

Blake	Dooley	Long	Smith of Lucas
Brady	Frahm	McClune	Stookesberry
Children	Huff	Olson	Venard—12

Absent or not voting:

Aiken	Fackler	Miller	Rassler
Anderson of	Garber of Floyd	Natvig	Rumléy
Webster	Gilbert	Noble	Scott of
Bradley	Graham	Powers	Appanoose
Dotts	Harrison	Quirk	Storey
Elliott	Knutson	Ramsey	Ulstad—22

So the bill having received a constitutional majority was declared to have passed the House 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. 151, a bill for an act to amend, revise and codify sections thirty-four hundred twenty-four (3424) to thirty-four hundred thirty-five (3435), inclusive, thirty-four hundred forty (3440), thirty-four hundred forty-one (3441), thirty-four hundred forty-five (3445), thirty-four hundred forty-six (3446), thirty-four hundred forty-nine (3449), thirty-four

hundred fifty (3450), thirty-four hundred fifty-three (3453), thirty-four hundred fifty-four (3454), thirty-four hundred fifty-eight (3458) and thirty-four hundred fifty-nine (3459) of the compiled code of Iowa, and sections thirty-four hundred forty-five-a one (3445-a1) and thirty-four hundred forty-five-a two (3445-a2) of the supplement to said code, relating to townships and township officers.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 275, a bill for an act to amend, revise, and codify chapter twenty-five-A (25-A) of title four (4) of the supplement to the compiled code of Iowa, relating to the sale of public bonds.

Also, that the Senate requests the return for further consideration by the Senate, of House File No. 258, a bill for an act to amend, revise, and codify sections forty-two hundred nineteen (4219), forty-two hundred nineteen-a 1 (4219-a1), and forty-two hundred twenty-four (4224) of the supplement to the compiled code of Iowa, relating to the nomination and election of officers, employees, and assistants in cities acting under the commission form of government.

Also, that the Senate has adopted the following concurrent resolution, in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 8: Resolution memorializing the president, cabinet officers, and the Congress of the United States to adjust the present economic inequalities between agriculture and other great industries of this country.

L. W. AINSWORTH, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 151, a bill for an act to amend, revise, and codify sections thirty-four hundred twenty-four (3424) to thirty-four hundred thirty-five (3435), inclusive, thirty-four hundred forty (3440), thirty-four hundred forty-one (3441), thirty-four hundred forty-five (3445), thirty-four hundred forty-six (3446), thirty-four hundred forty-nine (3449), thirty-four hundred fifty (3450), thirty-four hundred fifty-three (3453), thirty-four hundred fifty-four (3454), thirty-four hundred fifty-eight (3458) and thirty-four hundred fifty-nine (3459) of the compiled code of Iowa, and sections thirty-four hundred forty-five-a one (3445-a1) and thirty-four hundred forty-five-a two (3445-a2) of the supplement to said code, relating to townships and township officers.

Read first and second times and referred to committee on county and township organization.

Senate File No. 275, a bill for an act to amend, revise, and codify chapter twenty-five-A (25-A) of title four (4) of the

supplement to the compiled code of Iowa, relating to the sale of public bonds.

Read first and second times and referred to committee on judiciary.

HOUSE FILE NO. 258 RETURNED TO SENATE

Forsling of Woodbury moved that the request of the Senate for the return to the Senate of House File No. 258 be granted.

Motion prevailed and it was so ordered.

SENATE CONCURRENT RESOLUTION NO. 8 REFERRED

Senate concurrent resolution No. 8 was read for the information of the House:

SENATE CONCURRENT RESOLUTION NO. 8

*Whereas*, the great basic industry of this country is agriculture,

*Whereas*, there can be no permanent prosperity until the agricultural industry is on an economic basis comparable with other industries, and

*Whereas*, the great heart of agriculture (the middle west) has for three years been laboring faithfully, although seriously handicapped and maimed by unjust differences in the prices it has received for its products in comparison with the prices it has been compelled to pay for the commodities it is compelled to purchase; and

*Whereas*, at this time the Iowa farmer is receiving less for the products of the farm than a year ago, and,

*Whereas*, in times of stress the government has deemed it wise to take the farmers' crops at a price which netted the government treasury some fifty millions of dollars, and

*Whereas*, there have been many appeals from the agricultural district desiring action upon the part of the government that would help to adjust the present economic inequalities between agriculture and practically all the other great industries of this country, and

*Whereas*, any political party seeking the support and patronage of the great middle west must have as its leaders those who are in sympathy with, and have a clear understanding of middle west conditions, and

*Whereas*, all the conferences and proposed remedies upon the part of those in authority have been of little benefit in adjusting these economic inequalities in the great agricultural middle west,

*Therefore, be it resolved by the Senate of Iowa, the House concurring*, that the President of the United States, the cabinet officers, and the Congress of the United States, are hereby requested to give prompt and careful concern to the matters herein mentioned that there may result some measure of relief.

Fackler of Adams moved that the concurrent resolution be referred to the committee on agriculture.

Motion prevailed.

## HOUSE FILE NO. 174 REREFERRED

On request of Blake of Fayette, unanimous consent having been obtained, House File No. 174 was withdrawn from the committee on public utilities and referred to the committee on municipal corporations.

## BILL SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 5th day of January, 1924, sent to the governor for his approval:

House File No. 58.

C. F. LETTS, *Chairman.*

Report adopted.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills:

January 3d, House Joint Resolution No. 3.

January 4th, House Files Nos. 156, 164 and 272.

## AMENDMENTS FILED

Slemmons of Buchanan filed the following amendment to House File No. 100:

Amend House File No. 100 by striking out section thirty-two (32) and substituting in lieu thereof the following:

Sec. 32. The expense of such election shall be borne by the consolidated district, in case such district shall be formed, otherwise by the separate districts in proportion to the assessed valuation thereof within the proposed consolidated district.

Children of Pottawattamie filed the following amendment to House File No. 100:

Amend House File No. 100 by inserting between the words "annually" and "out" in line one (1), section forty-six (46) thereof the words "for the biennium".

On motion of Children of Pottawattamie the House adjourned until 10:00 a. m. Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 7, 1924.

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

Prayer was offered by the Rev. Arthur Stookesberry, of Floris, Iowa.

Journal of January 5th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Yenter of Johnson, indefinitely, on request of Rankin of Lee; Long of Jefferson until Wednesday, on request of Parsons of Calhoun; Colbert of Union for the day, on request of Carter of Hardin; Strippel of Benton for the day, on request of Stock of Allamakee; Gibson of Clarke for the day, on request of Grimwood of Jones; Aiken of Ida for the day, on request of Held of Plymouth.

## PETITIONS

Wamstad of Mitchell presented a resolution from Camp No. 2767, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Rassler of Pocahontas presented a resolution from Camp No. 1486, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Wolfe of Linn presented resolutions from Camps Nos. 2136 and 2272, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Colbert of Union presented resolutions from Camps Nos. 2296 and 1286, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Vincent of Guthrie presented resolutions from Camps Nos. 7072 and 6728, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

## REPORTS OF COMMITTEES

Forsling 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. 170, a bill for an act to amend, revise, and codify sections three thousand eight hundred sixty-one (3861) to three thousand eight hundred seventy-two (3872), inclusive, three thousand nine hundred thirty-seven (3937), three thousand nine hundred thirty-eight (3938), three thousand nine hundred fifty-three (3953), and three thousand nine hundred fifty-four (3954) of the compiled code of Iowa, and sections three thousand nine hundred forty-four (3944) and three thousand nine hundred fifty (3950) of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

1. By striking from line 2 of section 1 the following: "improve, beautify or".
2. By inserting in line 4 of section 2 following the word "engineer" the following: "or other competent person".

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on municipal corporations to whom was referred Senate File No. 163, a bill for an act to amend, revise, and codify sections thirty-seven hundred thirty-eight (3738) and thirty-seven hundred thirty-nine (3739) of the compiled code of Iowa, and sections thirty-seven hundred thirty-four (3734) and thirty-seven hundred thirty-seven-a one (3737-a1) of the supplement to said code, relating to juvenile playgrounds, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

By striking from lines 1 and 2 of section 1-a1 the following: "On nomination of the mayor,".

Also by striking the word "fewer" in line 4 of said section and inserting in lieu thereof the word "less".

Also by striking the comma (,) following the word "members" in line 4 of said section and inserting in lieu thereof the following: "who shall be appointed by the mayor with the approval of the council, and".

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on municipal corporations to whom was referred House File No. 154, a bill for an act to amend, revise, and codify

sections three thousand five hundred eight (3508), three thousand five hundred nine (3509), three thousand five hundred eleven (3511) to three thousand five hundred eighteen (3518), inclusive, three thousand five hundred twenty-one (3521), three thousand five hundred twenty-two (3522), three thousand five hundred thirty (3530) to three thousand five hundred thirty-three (3533), inclusive, three thousand five hundred thirty-five (3535), three thousand five hundred thirty-six (3536), three thousand five hundred forty-one (3541), three thousand five hundred fifty (3550), three thousand five hundred fifty-one (3551), three thousand five hundred fifty-three (3553), three thousand five hundred fifty-four (3554), three thousand six hundred forty (3640), and three thousand seven hundred sixty-six (3766) of the compiled code of Iowa and section thirty-five hundred eleven-a one (3511-a1) of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

1. By striking the period following the word "thereof" in line 6 of section 10, and inserting in lieu thereof the following: "; provided that in case an approved surety company's bond is furnished, such bond may be accepted in an amount ten per cent in excess of the estimated deposits."

2. By inserting after the word "assemble" in line 3 of section 16 the following: "at twelve o'clock noon".

L. B. FORSLING, *Chairman*.

Report adopted.

Brady of O'Brien, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture to whom was referred House File No. 65, a bill for an act to amend, revise and codify sections nine hundred seven (907), fourteen hundred forty (1440), fourteen hundred forty-three (1443), fourteen hundred fifty-two (1452), fourteen hundred sixty-nine (1469), fourteen hundred seventy-two (1472), fourteen hundred eighty-one (1481), fifteen hundred thirty-six (1536), fifteen hundred ninety-two (1592), sixteen hundred thirteen (1613), sixteen hundred seventeen (1617), sixteen hundred twenty-six (1626), sixteen hundred twenty-seven (1627), and sixteen hundred ninety-nine (1699) of the compiled code of Iowa and sections eight hundred ninety-nine (899), nine hundred three (903), fourteen hundred forty-two (1442), fifteen hundred thirty-two-a fifteen (1532-a15), sixteen hundred thirty-one-a one (1631-a1), to sixteen hundred thirty-one-a fifteen (1631-a15), inclusive, and sixteen hundred fifty-three-a one (1653-a1), to sixteen hundred fifty-three-a seven (1653-a7), inclusive, of the supplement to said code, relating to the department of agriculture and fruit-tree and forest reservations, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend subsection 3 of section 1, by inserting in line 8 following the word "include", the words "an individual."

Also, amend section 1, line 3, by inserting the word "Iowa" between the words "the" and "department"; and in section 2, line 1, by striking the word "state" and inserting the word "Iowa".

Also, amend by striking out section 3, and substituting the following:  
"Sec. 3. Cooperation with other agricultural agencies.

1. The department of agriculture and the Iowa state college of agriculture and mechanic arts shall cooperate in all ways that the department may deem beneficial to the agricultural interests of the state, but without duplicating research or educational work conducted by said college.

2. The department of agriculture is hereby authorized to cooperate with the United States department of agriculture as the Iowa department may deem wise and just."

Also, amend section 5, subsection 4, by striking out lines 10, 11, 12 and 13 and inserting the following:

"Maintain weather and crop bureaus which shall, in cooperation with the United States weather bureau, collect and disseminate weather statistics and meteorological data, and promote the knowledge of the meteorology and climatology of the state."

Also, amend section 5, subsection 6, by striking the article "a" between the words "published" and "monthly" in line 23, and substituting the word "reports" for the word "report" in line 24.

Also, amend section 10 by inserting after the word "township" the words ", town and city".

Also, amend section 18, subsection 2, line 6, by striking out the words and figures "six thousand dollars (\$6,000.00)" and substituting in lieu thereof the words and figures "fifteen thousand dollars (\$15,000.00)".

Also, amend section 18 by inserting, following the word "annually" in line 1, the words "for the biennium".

A. V. BRADY, *Chairman*.

Report adopted and House File No. 65 was referred to the committee on appropriations.

Donhowe of Story, 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. 208, a bill for an act to amend, revise, and codify sections five thousand seven hundred forty-one (5741), five thousand seven hundred forty-two (5742), five thousand seven hundred forty-nine (5749) and fifty-seven hundred fifty-two (5752) of the compiled code of Iowa, and section five thousand seven hundred forty-four (5744) of the supplement to said code, relating to the banking 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 amended as follows, and when so amended the bill do pass:

Amend by striking from the paragraph immediately preceding section one (1) of said bill the following: "and section five thousand seven hundred forty-four (5744) of the supplement to said code".

Also, by adding after section four (4) the following:

"That section five thousand seven hundred forty-five (5745) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 5. Deputy superintendent—bank examiners—number of employees.

The superintendent of banking may appoint such examiners, to hold office for a term of two years, but not to exceed one examiner for each one hundred banks, or major fraction thereof, under his supervision; and may also appoint a deputy superintendent of banking, who shall perform the duties attached to the office of the superintendent of banking during the absence or the inability of the superintendent, and as directed by him, and may also appoint such clerks, stenographers, and special assistants as he may need to discharge in a proper manner the duties imposed upon him by law; but the total number, including the deputy superintendent, shall not exceed one for each two hundred banks and trust companies, or major fraction thereof, under his supervision.

Provided, that whenever the proper conduct of the affairs of the office demand, he may, with the approval of the executive council, appoint such additional bank examiners and employees as may be necessary, any provision of the law to the contrary notwithstanding. Such additional examiners or employees to be paid out of current or accumulated earnings of the banking department and their salaries to be fixed at rates no greater than that of other similar employees authorized by law. All such appointees shall be removable at the pleasure of the said superintendent."

Also further amend by renumbering section five (5) as section six (6).

Further amend by adding thereto the following:

"Sec. 7. The cost of the bonds required of the superintendent and examiners shall be paid by the state in the same manner as are other expenses of the banking department.

Sec. 8. This act, being deemed of immediate importance, shall be in full force and effect from and after publication in the Des Moines Daily News and Plain Talk, newspapers published in the city of Des Moines, Iowa."

Amend the title to House File No. 208 to read as follows:

"A bill for an act to amend, revise, and codify sections five thousand seven hundred forty-one (5741), five thousand seven hundred forty-two (5742), five thousand seven hundred forty-five (5745), five thousand seven hundred forty-nine (5749) and five thousand seven hundred fifty-two (5752) of the compiled code of Iowa, relating to the banking department."

H. N. DONHOWE, *Chairman.*

Report adopted.

#### HOUSE FILE NO. 112 INDEFINITELY POSTPONED

Carter of Hardin moved that the report of the committee on schools and textbooks recommending indefinite postponement of House File No. 112 be adopted.

Motion prevailed, the report was adopted and House File No. 112 was indefinitely postponed.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 133 and 279.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### CONSIDERATION OF BILLS

House File No. 100, a bill for an act to amend, revise, and codify sections twenty-five hundred eight (2508), twenty-five hundred nine (2509), twenty-five hundred fifteen (2515) to twenty-five hundred seventeen (2517), inclusive, and twenty-five hundred twenty-six (2526) to twenty-five hundred thirty-four (2534), inclusive, of the compiled code of Iowa, and sections twenty-five hundred twenty-four-a one (2524-a1) to twenty-five hundred twenty-four-a forty (2524-a40), inclusive, and twenty-five hundred twenty-five (2525) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up for further consideration.

The amendment offered by Edson of Buena Vista, found on page 237 of the Journal of January 4th, was considered and, on motion of Mr. Edson, adopted.

Edson of Buena Vista moved that further action on House File No. 100 be deferred and that the bill be made a special order for Friday, January 11th, at 10:30 a. m. Motion prevailed.

House File No. 102, a bill for an act to amend, revise, and codify sections two thousand five hundred eighty-one (2581) and two thousand five hundred eighty-two (2582) of the compiled code of Iowa, relating to education, with report of committee recommending amendment and passage, was taken up for further consideration.

On motion of Harrison of Pottawattamie the amendments proposed by the committee, found on page 215 of the Journal of January 2d, were adopted.

On request of Children of Pottawattamie, unanimous consent having been obtained, further action on House File No. 102 was deferred.

House File No. 28, a bill for an act to amend, revise, and codify section five hundred thirty-five (535) of the supplement to the compiled code of Iowa, relating to the election of presidential electors, with report of committee recommending passage, was taken up for consideration.

Carter of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gallagher	Lieberknecht	Rust
Webster	Garber of Adair	McClune	Sampson
Berry	Garber of Floyd	Mathews	Saunders
Blake	Gesman	Matthiesen	Schirmer
Blume	Gilbert	Moen	Schulte
Bradley	Gilbertson	Napier	Scott of Fremont
Brady	Gilmore	Natvig	Slemmons
Brittain	Graham	Noble	Smith of
Buffington	Grimwood	O'Donnell	Chickasaw
Carter	Harrison	Oliver	Smith of Lucas
Clark	Hattendorf	Olson	Stock
Cole	Hauge	Ontjes	Stookesberry
Criswell	Healy	Orr	Storey
Dewar	Held	Parsons	Ulstad
Diltz	Hempel	Peterson	Venard
Donhowe	Henderson	Potts	Vincent
Dooley	Himebauch	Powers	Wamstad
Doolittle	Hollis	Quirk	Weber
Dotts	Johnson	Ramsey	Williams
Edge	King	Rankin	Wilson
Edson	Knutson	Rassler	Wolfe
Elliott	Lake	Rewoldt	Mr. Speaker—95
Fackler	Leonard	Rhinehart	
Forsling	Letts	Robson	
Frahm	Lichty	Rumley	

The nays were:

Patterson—1

Absent or not voting:

Aiken	Hansen	Miller	Yenter—12
Children	Huff	Scott of	
Colbert	Long	Appanouse	
Gibson	Lovrien	Strippel	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

By unanimous consent, Senate File No. 287, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public, additional to section twenty-nine hundred and forty-two (2942) of the code and chapter one hundred seventy-three of the acts of the Thirty-seventh General Assembly, with report of committee recommending passage, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Garber of Adair Garber of Floyd	Leonard Letts	Sampson Saunders
Berry	Gesman	Lichty	Schirmer
Blume	Gilbert	Mathews	Schulte
Bradley	Gilbertson	Matthiesen	Scott of
Brady	Gilmore	Moen	Appanoose
Buffington	Graham	Napier	Scott of Fremont
Carter	Grimwood	Natvig	Slemmons
Children	Hanseh	Noble	Smith of
Clark	Harrison	Olson	Chickasaw
Cole	Hattendorf	Orr	Smith of Lucas
Criswell	Hauge	Parsons	Stock
Dewar	Healy	Peterson	Stookesberry
Donhowe	Hempel	Potts	Storey
Doolittle	Henderson	Powers	Ulstad
Dotts	Himebauch	Quirk	Venard
Edge	Hollis	Ramsey	Vincent
Edson	Huff	Rankin	Weber
Elliott	Johnson	Rhinehart	Williams
Fackler	King	Robson	Wilson
Forsling	Knutson	Rumley	Wolfe—84
Gallagher	Lake	Rust	

The nays were:

Brittain	Miller	Patterson	Rewoldt—7
Diltz	Oliver	Rassler	

Absent or not voting:

Aiken	Gibson	McClune	Yenter
Blake	Held	O'Donnell	Mr. Speaker—17.
Colbert	Lieberknecht	Ontjes	
Dooley	Long	Strippel	
Frahm	Lovrien	Wamstad	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

By unanimous consent, Senate File No. 271, a bill for an act to amend, revise, and codify section eighty-one hundred twenty-three (8123) of the compiled code of Iowa, relating to abstracts of title in partition proceedings, with report of committee recommending passage, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson fo	Garber of Adair	McClune	Rust
Webster	Garber of Floyd	Mathews	Sampson
Berry	Gesman	Matthiesen	Saunders
Blake	Gilbert	Miller	Schirmer
Blume	Gilbertson	Moen	Schulte
Bradley	Gilmore	Napier	Scott of
Brady	Graham	Natvig	Appanoose
Brittain	Grimwood	Noble	Scott of Fremont
Buffington	Harrison	O'Donnell	Slemmons
Carter	Hattendorf	Oliver	Smith of
Children	Hauge	Olson	Chickasaw
Clark	Healy	Orr	Smith of Lucas
Cole	Held	Parsons	Stokesberry
Diltz	Hempel	Patterson	Storey
Donhowe	Henderson	Peterson	Ulstad
Dooley	Hollis	Potts	Venard
Doolittle	Huff	Powers	Vincent
Dotts	Johnson	Quirk	Wamstad
Edge	King	Ramsey	Weber
Edson	Knutson	Rankin	Williams
Elliott	Lake	Rassler	Wilson
Fackler	Leonard	Rewoldt	Wolfe
Forsling	Letts	Rhinehart	Mr. Speaker—95
Frahm	Lichty	Robson	
Gallagher	Lieberknecht	Rumley	

The nays were, none.

Absent or not voting:

Aiken	Gibson	Lovrien	Yenter—13
Colbert	Hansen	Ontjes	
Crisswell	Himebauch	Stock	
Dewar	Long	Strippel	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Edson of Buena Vista asked unanimous consent to consider House File No. 270 at this time.

Objection was made by Children of Pottawattamie.

Mr. Edson moved that rule 74 be suspended for the consideration of House File No. 270.

Mr. Children demanded a roll call.

By unanimous consent the motion by Edson of Buena Vista was withdrawn.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 133 and 279.

#### BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on January 5th, approved House File No. 58.

#### AMENDMENTS FILED

Parsons of Calhoun filed the following amendment to House File No. 246:

Amend House File No. 246 by striking therefrom all of section fourteen (14) and by substituting in lieu thereof the following:

"Every applicant for such admission must be at least twenty-one years of age, of good moral character, and an inhabitant of this state, and must have actually and in good faith pursued a regular course of study of the law for at least three full years, either in the office of a member of the bar in regular practice of this state or other state, or of a judge of a court of record thereof, or in some reputable law school in the United States, or partly in such office and partly in such law school; but, in reckoning such period of study, the school year of any such law school, consisting of not less than thirty-six weeks exclusive of vacations, shall be considered equivalent to a full year. Every such applicant for admission must also have actually and in good faith acquired a general education substantially equivalent to that involved in the completion of a high-school course of study of at least four years in extent."

Parsons of Calhoun filed the following amendments to House File No. 71:

Amend House File No. 71 as follows:

1. In section eleven (11), line seven (7), strike out the word "clerk" and in lieu thereof insert the following: "trustees, verbally or in writing,".
2. In section eleven (11), line seven (7), strike out the words "the township trustees" and in lieu thereof insert the word "they".

3. Strike out sections twelve (12), thirteen (13), and fourteen (14) of the bill.

Children of Pottawattamie filed the following amendments to House File No. 34:

Amend House File No. 34 as follows:

1. In section 1, line 3, insert after the word "may" the following: ", upon charges made in writing and hearing thereunder,".

2. In section 4 strike out the last sentence and in lieu thereof insert the following: "The accused may at any time prior to the time fixed for hearing file with the clerk any appropriate pleading, but if no pleadings be filed by the accused, the petition shall nevertheless be deemed denied."

3. In section 11, line 1, strike out the word "or" and insert in lieu thereof the following: "any time not less than five (5) days".

4. In section 24-a1 strike from line 3 the word "documents" and in lieu thereof insert the following: "other evidence".

5. In section 24-a2 strike out the last sentence.

Potts of Lee filed the following amendment to House File No. 246:

Amend House File No. 246 by striking out the two lines preceding section fourteen (14); also by striking out all of section fourteen (14).

Amend the title by striking from lines two and three the following: "seventy hundred thirty-two (7032),".

Edson of Buena Vista filed the following amendment to Senate concurrent resolution No. 8:

Amend Senate Concurrent Resolution No. 8 by striking out all after the second paragraph thereof and inserting in lieu thereof the following:

"Whereas, the secretary of agriculture in his annual report to the President has recommended measures that we believe will aid in improving the conditions of agriculture; therefore,

*Be It Resolved by the Senate of Iowa, the House concurring,* that Congress be requested to give prompt consideration to the recommendations of the secretary of agriculture particularly with reference to his recommendation to extend credit to foreign buyers, and to his recommendation to the forming of a government export corporation for the purpose of buying certain agricultural products and selling them abroad, and providing necessary funds for the use of such government export corporation in carrying out the suggestion of the secretary of agriculture."

On request of Mr. Edson, the amendment was referred to the committee on agriculture.

## MOTION TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: We, the undersigned members of the House, move to reconsider the vote by which House File No. 213 passed the House.

THEO. C. BLUME,  
H. C. HATTENDORF,  
J. A. KING.

On motion of Parsons of Calhoun the House adjourned until 10:00 a. m. Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 8, 1924.

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

Prayer was offered by the Rev. C. R. Garland, pastor of the M. E. church, Ackley, Iowa.

Journal of January 7th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Gibson of Clarke for the day, on request of Grimwood of Jones; Ontjes of Grundy until Thursday, on request of Quirk of Sac.

## PETITIONS

Huff of Cass presented resolutions from Camps Nos. 5305 and 2832, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Parsons of Calhoun presented a resolution from Royal Neighbors of America at Manson, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Carter of Hardin presented a resolution from Camp No. 2096, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Peterson of Henry presented a resolution from the First M. E. church, Mt. Pleasant, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## REPORTS OF COMMITTEES

Hansen of Scott, from the committee on police regulations, submitted the following report:

MR. SPEAKER: Your committee on police regulations to whom was re-

ferred House File No. 52, a bill for an act to amend, revise, and codify sections ten hundred twenty-eight (1028) to ten hundred thirty (1030), inclusive, and sections ten hundred thirty-two (1032), ten hundred thirty-five (1035), and ten hundred thirty-six (1036) of the compiled code of Iowa, relating to houses of prostitution, beg leave to report they have had 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 HANSEN, *Chairman*.

Report adopted.

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 274, a bill for an act to amend, revise, and codify sections ninety-two hundred eighty-seven (9287), ninety-three hundred fifty-two (9352) and ninety-three hundred eighty-nine (9389) of the compiled code of Iowa, relating to indictments, trial information, and demurrers 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.

C. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 245, a bill for an act to amend, revise, and codify sections eight thousand four hundred seventy-eight (8478) and eight thousand four hundred seventy-nine (8479) of the compiled code of Iowa, relating to the clerk of 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 be amended as follows, and when so amended the bill do pass:

Amend by striking from section one (1), the last sentence thereof.

C. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 75, a bill for an act to amend, revise, and codify sections sixty-three hundred seventeen (6317) to sixty-three hundred thirty-two (6332), inclusive, of the compiled code of Iowa and section sixty-three hundred twenty-seven-a one (6327-a1) of the supplement to said code, relating to chattel mortgages, real estate mortgages creating liens on personal property, and conditional sales of personal 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, and when so amended the bill do pass:

Amend section three (3) by striking therefrom all of lines 7, 8, and 9, and inserting in lieu thereof the following: "where the holder of the property resides. But if the holder be a nonresident of the state, then such instruments shall be filed with the recorder of the county where the property is situated."

Amend section eight (8) by adding after the word "of" in line 7 thereof, the word "each", and by adding the words "or vendor" after the word "mortgagor".

Amend section eight (8) by adding after the word "of" in line 8 thereof the word "each", and by adding the words "or vendee" after the word "mortgagee".

Amend section thirteen (13) by striking from line 3 thereof the words "or actions".

Amend section seventeen (17) by striking from lines 3 and 4 thereof the words "mortgage, bill of sale, extension agreement, release of mortgage or other".

Amend section eighteen (18) by striking from line 7 thereof the words "in the manner required by this chapter" and substituting in lieu thereof the words "as a chattel mortgage".

Amend section six (6) by striking from line 2 thereof the words "or any assignment or release thereof,".

Amend section seven (7) by striking from line 2 thereof the words "exact time" and substituting in lieu thereof the word "hour".

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 212, a bill for an act to amend, revise, and codify chapter seven (7) of title twenty-one (21) and chapters one (1) to six (6), inclusive, of title twenty-four (24) of the compiled code of Iowa and of the supplement to said code, relating to certain special liens, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section 19 by striking out the last sentence and inserting in lieu thereof the following: "If the party to be served, his agent, or trustee, is out of the county wherein the property is situated, a return of that fact by the person charged with making such service shall constitute sufficient service from and after the time it was filed with the clerk of the district court."

Amend section 47 by striking out of line 7 thereof the word "but" and inserting in lieu thereof the words "except that".

Amend section 58 by striking out the entire section and inserting in lieu thereof the following:

"Sec. 58. Nature of lien.

Any person who renders any service or furnishes any material in the making, repairing, improving, or enhancing the value of any inanimate personal property, with the assent of the owner, express or implied, shall have a special lien thereon for the agreed or reasonable compensation for his service and material while such property is lawfully in his possession, which possession he may retain until such compensation is paid."

Amend section 59 by inserting after the word "lien" in line 1 the words "by suit in equity or".

Amend section 60 by striking out all of said section and inserting in lieu thereof the following:

"Sec. 60. Nature of lien for care of stock.

Livery and feed stable keepers, herders, feeders, and keepers of stock and of places for the storage of motor vehicles shall have a lien on all property coming into their hands as such for their charges and the expense of keeping, but such lien shall be subject to all prior liens of record."

C. F. CLARK, *Chairman.*

Report adopted.

#### MOTION TO RECONSIDER CALLED UP

Lovrien of Humboldt called up the motion to reconsider the vote by which the House adopted the report of the committee on code revision, relative to the introduction and consideration of bills, said motion found on page 75 of the Journal of December 6th.

Forsling of Woodbury moved that action on the motion to reconsider be deferred and that it be made a special order for Thursday, January 10th, at 10:30 a. m. Motion prevailed.

#### CONSIDERATION OF BILLS

House File No. 102, a bill for an act to amend, revise, and codify sections two thousand five hundred eighty-one (2581) and two thousand five hundred eighty-two (2582) of the compiled code of Iowa, relating to education, was taken up for further consideration.

The amendments filed by Carter of Hardin, found on pages 226 and 227 of the Journal of January 3d, were taken up for consideration.

Fackler of Adams offered the following amendment to the amendments filed by Carter of Hardin and moved its adoption:

Amend the amendment by Carter of Hardin by striking out all of line two (2) and all preceding the word "in" in line three (3) of section four (4) as the same appears on page 226 of the Journal of January 3d.

Amendment to the amendment adopted.

On motion of Mr. Carter the amendment, as amended, was adopted.

Harrison of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Lichty	Rust
Anderson of Webster	Frahm	Lieberknecht	Sampson
Berry	Gallagher	Lovrien	Saunders
Blume	Gilbertson	McClune	Schirmer
Brittain	Gilmore	Matthiesen	Scott of Fremont
Buffington	Graham	Moen	Smith of Chickasaw
Carter	Grimwood	Natvig	Stock
Clark	Harrison	Noble	Storey
Cole	Hattendorf	O'Donnell	Strippel
Criswell	Hauge	Oliver	Venard
Diltz	Held	Parsons	Vincent
Dooley	Hempel	Peterson	Weber
Doolittle	Henderson	Powers	Wilson
Dotts	Himebauch	Quirk	Mr. Speaker—67
Edge	Hollis	Rankin	
Edson	Johnson	Rewoldt	
Elliott	King	Rhinehart	
	Letts	Robson	

The nays were:

Blake	Hansen	Orr	Smith of Lucas
Bradley	Healy	Patterson	Stokesberry
Children	Huff	Potts	Ulstad
Colbert	Knutson	Rassler	Wamstad
Dewar	Leonard	Schulte	Williams
Donhowe	Mathews	Scott of Appanoose	Wolfe—29
Fackler	Miller	Stemmons	
Garber of Floyd	Napier		

Absent or not voting:

Brady	Gibson	Long	Ramsey
Garber of Adair	Gilbert	Olson	Rumley
Gesman	Lake	Ontjes	Yenter—12

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File No. 34, a bill for an act to amend, revise, and codify chapter twenty-one (21) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to removal from office, with report of committee recommending passage, was taken up for consideration.

The amendments filed by Children of Pottawattamie, found on page 260 of the Journal of January 7th, were taken up and considered.

A division of the amendments was asked for.

Mr. Children moved that amendment No. 1 be adopted and demanded a roll call.

On the question "Shall amendment No. 1 be adopted?"

The ayes were:

Aiken	Children	Hattendorf	Orr
Anderson of	Dewar	Huff	Quirk
Webster	Dooley	King	Rassler
Berry	Dotts	Knutson	Smith of Lucas
Blake	Fackler	Leonard	Stookesberry
Blume	Frahm	Matthiesen	Storey
Brady	Garber of Floyd	Napier	Ulstad
Brittain	Harrison	Oliver	Wolfe—31

The nays were:

Bradley	Hansen	Miller	Scott of Fremont
Clark	Hauge	Moen	Smith of
Cole	Held	O'Donnell	Chickasaw
Diltz	Hempel	Olson	Stock
Donhowe	Henderson	Parsons	Strippel
Doolittle	Himebauch	Rankin	Venard
Edson	Hollis	Rhinehart	Vincent
Forsling	Johnson	Robson	Weber
Gallagher	Letts	Rust	Williams
Garber of Adair	Lichty	Sampson	Wilson—45
Gilmore	Lovrien	Saunders	
Grimwood	McClune	Schirmer	

Absent or not voting:

Buffington	Gilbertson	Ontjes	Scott of
Carter	Graham	Patterson	Apponoose
Colbert	Healy	Peterson	Slemmons
Criswell	Lake	Potts	Wamstad
Edge	Lieberknecht	Powers	Yenter
Elliott	Long	Ramsey	Mr Speaker—22
Gesman	Mathews	Rewoldt	
Gibson	Natvig	Rumley	
Gilbert	Noble	Schulte	

Amendment No. 1 was lost.

By unanimous consent, amendment No. 2 was withdrawn.

On motion of Mr. Children amendment No. 3 was adopted.

On motion of Mr. Children amendment No. 4 was adopted.

Anderson of Webster moved the previous question as applied to the pending amendment. Motion prevailed.

Mr. Children moved the adoption of amendment No. 5 and demanded a roll call.

Rule 18 was invoked.

On the question "Shall amendment No. 5 be adopted?"

The ayes were:

Aiken	Dewar	Mathews	Rassler
Anderson of	Dooley	Matthiesen	Rewoldt
Webster	Fackler	Napier	Slemmons
Berry	Frahm	Natvig	Smith of Lucas
Blake	Garber of Floyd	Noble	Stookesberry
Blume	Harrison	Oliver	Storey
Brady	Hattendorf	Olson	Ulstad
Brittain	Healy	Orr	Wamstad
Buffington	Hempel	Patterson	Wolfe
Children	Huff	Peterson	Mr Speaker—45
Colbert	King	Potts	
Criswell	Leonard	Quirk	

The nays were:

Bradley	Gilmore	Lovrien	Schirmer
Carter	Graham	McClune	Schulte
Clark	Grimwood	Miller	Scott of
Cole	Hansen	Moen	Appanoose
Diltz	Hauge	O'Donnell	Scott of Fremont
Donhowe	Held	Parsons	Smith of
Doolittle	Henderson	Powers	Chickasaw
Dotts	Himebauch	Ramsey	Stock
Edge	Hollis	Rankin	Strippel
Edson	Johnson	Rhinehart	Venard
Elliott	Lake	Robson	Vincent
Forsling	Letts	Rust	Weber
Gallagher	Lichty	Sampson	Williams
Garber of Adair	Lieberknecht	Saunders	Wilson—54

Absent or not voting:

Gesman	Gilbertson	Onfjes
Gibson	Knutson	Rumley
Gilbert	Long	Yenter—9

Amendment No. 5 was lost.

Edson of Buena Vista offered the following amendment and moved its adoption:

Amend House File No. 34 by inserting after the word "mileage" in line five (5) of section 24-a2, the words "and other costs".

Amendment lost.

Donhowe of Story moved that the bill be read a third time now

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Frahm	Lovrien	Sampson
Webster	Gallagher	McClune	Saunders
Berry	Garber of Adair	Mathews	Schirmer
Blume	Garber of Floyd	Matthiesen	Schulte
Bradley	Gilmore	Miller	Scott of
Brady	Graham	Moen	Appanoose
Brittain	Grimwood	Napier	Scott of Fremont
Buffington	Hansen	Natvig	Smith of
Carter	Harrison	O'Donnell	Chickasaw
Clark	Hattendorf	Oliver	Smith of Lucas
Colbert	Hauge	Olson	Stock
Cole	Healy	Orr	Storey
Criswell	Held	Parsons	Strippel
Dewar	Hempel	Patterson	Venard
Diltz	Henderson	Peterson	Vincent
Donhowe	Himebauch	Potts	Wamstad
Dooley	Hollis	Powers	Weber
Doolittle	Johnson	Quirk	Williams
Dotts	King	Ramsey	Wilson
Edge	Knutson	Rankin	Wolfe
Edson	Lake	Rewoldt	Mr. Speaker—90
Elliott	Letts	Rhinehart	
Fackler	Lichty	Robson	
Forsling	Lieberknecht	Rust	

The nays were:

Blake	Huff	Rassler
Children	Leonard	Stookesberry—6

Absent or not voting:

Aiken	Gilbert	Noble	Slemmons
Gesman	Gilbertson	Ontjes	Ulstad
Gibson	Long	Rumley	Yenter—12

So the bill having received a constitutional majority was declared to have passed the House 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. 282, a bill for an act to amend, revise, and codify section ninety-four hundred twenty-seven (9427) of the compiled code of Iowa, relating to peremptory challenges in the trial of criminal causes.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 276, a bill for an act to amend, revise, and codify chapter twenty-four-A (24-A) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theatres, moving picture shows, pool and billiard rooms or tables, dance halls, skating rinks, club houses, road houses, amusement parks or bowling alleys.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 276.

Amend by striking the period (.) at the end of line 1 of section 2, inserting a comma (,) in lieu thereof, and adding the following: "but such license may be denied only for good cause."

Amend by transposing sections four (4) and five (5).

Amend by adding as section 6 the following:

"Sec. 6. Any person aggrieved by the action of the trustees in refusing to grant a license, may appeal to the district court of the county by serving notice on the chairman of the board of trustees at least twenty (20) days after the final decision of the trustees in such matter."

#### AMENDMENTS FILED

Anderson of Webster filed the following amendments to House File No. 155:

Amend House File No. 155 as follows:

Amend section eight (8) of said bill by striking from line two (2) thereof the word and figures "ten (10)" and by substituting in lieu thereof the word and figure "five (5)".

Amend section nine (9) of said bill by inserting in line one (1) thereof after the word "appoint" the words "the chief of the fire department and".

Potts of Lee filed the following amendment to House File No. 246 as a substitute for the committee amendment to section two (2):

Amend by substituting for committee amendment to section two (2) the following:

Amend section two (2) by striking out of line two (2) the words and figures "sixty (60) days" and inserting in lieu thereof the words and figure "six (6) months".

Vincent of Guthrie filed the following amendment to House File No. 270:

Amend House File No. 270 by striking from section two, line three, the words "on the party who has acquired his rights", and substituting in lieu thereof the words "his successor in interest".

Children of Pottawattamie filed the following amendment to House File No. 100:

Amend House File No. 100 by inserting after section forty-four (44) the following section:

Sec. 44-a1. No additional aid for normal course in high school.

No consolidated school having a high school department shall receive additional aid for maintaining the normal training course in high schools as provided in chapter five (5) of this title.

Hauge of Polk filed the following substitute amendment to Senate File No. 135:

Amend the amendment offered by Lake of Woodbury by substituting therefor the following:

Strike subsection eleven (11) and twelve (12) from section one (1) of Senate File No. 135 and substitute in lieu thereof the following:

"11. For boarding, washing, and care of each prisoner, a compensation of sixty cents (60c) per day."

Also amend by renumbering subsection thirteen (13) as "twelve (12)", fourteen (14) as "thirteen (13)" and fifteen as "fourteen (14)".

Children of Pottawattamie filed the following amendment to House File No. 154:

Amend House File No. 154, section 16, subsection 5, by inserting in line 19 before the word "compel" the words "Have power to".

Forsling of Woodbury filed the following motion:

MR. SPEAKER: I move that the committee on ways and means be ordered to submit a budget bill for consideration of the House.

L. B. FORSLING.

Mr. Forsling asked unanimous consent to suspend the rule for the consideration of the motion at this time.

Objection was made.

Himebauch of Emmet moved that the House now adjourn until 9:30 a. m. Wednesday. Motion prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 9, 1924.

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

Prayer was offered by Rev. Henry McCraven, of the Union Congregational church, Des Moines, Iowa.

Journal of January 8th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Gibson of Clarke for the day, on request of Grimwood of Jones; Carter of Hardin for the day, on request of Dotts of Wayne; Garber of Adair for the day, on request of Vincent of Guthrie; Powers of Page for the day, on request of Storey of Warren.

## PETITIONS

Venard of Sioux presented resolutions from Camps Nos. 416 and 4958, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

## REPORTS OF COMMITTEES

Sampson of Audubon, from the committee on departmental affairs, submitted the following report:

MR. SPEAKER: Your committee on departmental affairs to whom was referred House File No. 8, a bill for an act to amend, revise, and codify subsection seven (7) of section one hundred eighteen (118), sections one hundred twenty-seven (127) to one hundred thirty-one (131), inclusive, one hundred thirty-three (133), one hundred thirty-four (134), one hundred thirty-six (136), two hundred seventy-four (274) and seven hundred twenty-five (725) of the compiled code of Iowa, and sections one hundred thirty-two (132) and one hundred thirty-five (135) of the supplement to said code, relating to certain duties of the auditor of state and to uniform system of accounts of public corporations and organizations, and to the examination of such accounts, beg leave to report they have had the same under consideration and have instructed me to report the

same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by adding the following section:

Sec. 19. Biennial report of standing appropriations.

The auditor of state shall biennially prepare a separate report containing a complete list of all standing appropriations showing the amount of each appropriation and the purpose for which such appropriation is made and to furnish a copy of such report to each member of the general assembly on or before the first day of the session.

F. C. SAMPSON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on departmental affairs to whom was referred Senate File No. 7, a bill for an act to amend, revise, and codify section ninety-four (94) of the compiled code of Iowa, relating to the duties of governor, beg leave to report they have had 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. SAMPSON, *Chairman*.

Report adopted.

Forsling 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. 167, a bill for an act to amend, revise, and codify sections three thousand seven hundred seventy-nine (3779) to three thousand seven hundred eighty-one (3781), inclusive, of the compiled code of Iowa, relating to municipal 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 do pass.

L. B. FORSLING, *Chairman*.

Report adopted.

Healy of Hancock, 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. 90, a bill for an act to amend, revise, and codify sections two thousand three hundred eighteen (2318) to two thousand three hundred twenty-six (2326), inclusive, two thousand three hundred twenty-nine (2329) to two thousand three hundred forty-four (2344), inclusive, two thousand three hundred forty-seven (2347), two thousand three hundred ninety-eight (2398) to two thousand four hundred fourteen (2414), inclusive, two thousand four hundred thirty-two (2432), two thousand four hundred thirty-six (2436), two thousand four hundred thirty-seven (2437), two thousand four hundred forty (2440) and two thousand four hundred forty-four (2444) of the compiled code

of Iowa, and sections two thousand three hundred twenty-seven (2327) and two thousand three hundred twenty-eight (2328) of the supplement to said code, 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 as follows, and when so amended the bill do pass:

Amend section fifteen (15) by striking out of lines sixteen (16) and seventeen (17) the words "on the amount so invested".

E. P. HEALY, *Chairman.*

Report adopted.

Vincent of Guthrie, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 264, a bill for an act to amend, revise, and codify section thirty-two hundred thirty-one-a nine (3231-a9) of the supplement to the compiled code of Iowa, relating to compensation of 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 do pass.

EARL W. VINCENT, *Acting Chairman.*

Report adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 271 and 287.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report 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. 9, a bill for an act to amend, revise, and codify sections one hundred forty-four (144), one hundred forty-six (146) to one hundred forty-nine (149), inclusive, one hundred fifty-one (151), one hundred fifty-three (153) to one hundred sixty (160), inclusive, of the compiled code of Iowa, and section one hundred fifty (150) of the supplement to said code, relating to appropriations and the drawing and expenditure thereof, and to certain powers and duties of the treasurer of state, and to the security of the public funds.

Also :

That the Senate has passed the following bill in which the concurrence of the House is asked :

Senate File No. 29, a bill for an act to amend, revise, and codify chapter eleven (11) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the making of statements of expenses by candidates for office.

Also :

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, revise, and codify sections thirty-one hundred fifteen (3115), thirty-one hundred twenty-four (3124), seven hundred thirteen (713) and thirty-one hundred twenty-seven (3127) of the compiled code of Iowa, relating to boards of supervisors.

L. W. AINSWORTH, *Secretary.*

#### SENATE MESSAGES CONSIDERED

Senate File No. 9, a bill for an act to amend, revise, and codify sections one hundred forty-four (144), one hundred forty-six (146) to one hundred forty-nine (149), inclusive, one hundred fifty-one (151), one hundred fifty-three (153) to one hundred sixty (160), inclusive, of the compiled code of Iowa, and section one hundred fifty (150) of the supplement to said code, relating to appropriations and the drawing and expenditure thereof, and to certain powers and duties of the treasurer of state, and to the security of the public funds.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 129, a bill for an act to amend, revise, and codify sections thirty-one hundred fifteen (3115), thirty-one hundred twenty-four (3124), seven hundred thirteen (713) and thirty-one hundred twenty-seven (3127) of the compiled code of Iowa, relating to boards of supervisors.

Read first and second times and referred to committee on county and township organization.

Senate File No. 29, a bill for an act to amend, revise, and codify chapter eleven (11) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the making of statements of expenses by candidates for office.

Read first and second times and referred to committee on elections.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Rassler of Pocahontas unanimous consent having been given, House File No. 276, a bill for an act to amend, revise, and codify chapter twenty-four-A (24-A) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theaters, moving picture shows, pool and billiard rooms or tables, dance halls, skating rinks, club houses, road houses, amusement parks or bowling alleys, with Senate amendments, as found on page 270 of the Journal of January 8th, was taken up and the amendments read and considered.

Mr. Rassler 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:

Aiken	Gilbertson	Lovrien	Rust
Anderson of	Gilmore	McClune	Sampson
Webster	Grimwood	Mathews	Saunders
Berry	Harrison	Matthiesen	Scott of
Blume	Hattendorf	Miller	Appanoose
Bradley	Hauge	Moen	Schirmer
Brady	Healy	Napier	Scott of Fremont
Brittain	Held	Natvig	Slemmons
Buffington	Hempel	Noble	Smith of
Children	Henderson	O'Donnell	Chickasaw
Clark	Himebauch	Oliver	Smith of Lucas
Criswell	Hollis	Olson	Stock
Dewar	Huff	Orr	Stookesberry
Donhowe	Johnson	Parsons	Strippel
Dooley	King	Patterson	Ulstad
Dotts	Knutson	Peterson	Venard
Edson	Lake	Quirk	Vincent
Fackler	Leonard	Rankin	Wamstad
Forsling	Letts	Rassler	Weber
Frahm	Lichty	Rewoldt	Wilson
Gallagher	Lieberknecht	Rhinehart	Wolfe
Garber of Floyd	Long	Robson	Mr. Speaker—85

Absent or not voting:

Blake	Edge	Graham	Rumley
Carter	Elliott	Hansen	Schulte
Colbert	Garber of Adair	Ontjes	Storey
Cole	Gesman	Potts	Williams
Diltz	Gibson	Powers	Yenter—23
Doolittle	Gilbert	Ramsey	

So the House refused to concur in the Senate amendments to House File No. 276.

## CONSIDERATION OF BILLS

House File No. 270, a bill for an act to amend, revise, and codify sections eighty-one hundred eighty-two (8182), eighty-one hundred eighty-three (8183), and eighty-one hundred eighty-four (8184) of the compiled code of Iowa, relating to the forfeiture of contracts to sell or to agree to sell an interest in real estate, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Clark of Linn the amendments proposed by the committee, found on pages 239 and 240 of the Journal of January 5th, were adopted.

The amendment filed by Vincent of Guthrie, found on page 270 of the Journal of January 8th, was considered and, on motion of Mr. Vincent, adopted.

Mr. Clark moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Frahm	Lichty	Rust
Anderson of	Gallagher	Lieberknecht	Sampson
Webster	Garber of Floyd	Long	Saunders
Berry	Gesman	Lovrien	Schirmer
Blake	Gilbert	McClune	Schulte
Blume	Gilbertson	Mathews	Scott of
Bradley	Gilmore	Matthiesen	Appanoose
Brady	Graham	Miller	Scott of Fremont
Brittain	Grimwood	Moen	Slemmons
Buffington	Hansen	Napier	Smith of
Children	Harrison	Natvig	Chickasaw
Clark	Hattendorf	Noble	Smith of Lucas
Cole	Hauge	O'Donnell	Stock
Criswell	Healy	Oliver	Stokesberry
Dewar	Held	Olson	Strippel
Diltz	Henfepel	Orr	Ulstad
Donhowe	Henderson	Parsons	Venard
Dooley	Himebauch	Patterson	Vincent
Doolittle	Hollis	Peterson	Wamstad
Dotts	Huff	Potts	Weber
Edge	Johnson	Quirk	Williams
Edson	King	Rankin	Wilson
Elliott	Knutson	Rassler	Wolfe
Fackler	Leonard	Rhinehart	Mr. Speaker—96
Forsling	Letts	Robson	

The nays were, none.

## Absent or not voting:

Carter	Gibson	Powers	Rumley
Colbert	Lake	Ramsey	Storey
Garber of Adair	Ontjes	Rewoldt	Yenter—12

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 246, a bill for an act to amend, revise, and codify sections seventy hundred thirty-two (7032), eighty-four hundred eighty-six (8486), eighty-four hundred ninety (8490), eighty-four hundred ninety-one (8491), eighty-four hundred ninety-five (8495), eighty-four hundred ninety-six (8496), eighty-four hundred ninety-seven (8497), eighty-four hundred ninety-nine (8499), eighty-five hundred (8500), eighty-five hundred two (8502), eighty-five hundred four (8504) and eighty-five hundred twenty-eight (8528) of the compiled code of Iowa, relating to procedure in the supreme court, with report of committee recommending amendment and passage, was taken up for consideration.

The following amendment by Potts of Lee was taken up and considered:

Amend by substituting for committee amendment to section two (2) the following:

Amend section two (2) by striking out of line two (2) the words and figures "sixty (60) days" and inserting in lieu thereof the words and figure "six (6) months".

Fackler of Adams moved the previous question.

Motion prevailed.

Mr. Potts moved the adoption of the amendment and demanded a roll call.

On the question "Shall the amendment be adopted?"

The ayes were:

Aiken	Harrison	Natvig	Scott of
Berry	Hattendorf	Noble	Appanoose
Blume	Held	O'Donnell	Slemmons
Children	Hempel	Oliver	Smith of Lucas
Criswell	Huff	Orr	Ulstad
Dooley	Leonard	Potts	Venard
Elliott	McClune	Rankin	Wamstad
Frahm	Matthiesen	Rassler	Weber
Gesman	Miller	Rewoldt	Wolfe—38
Gilbertson	Napier	Saunders	

The nays were:

Anderson of Webster	Fackler Forsling	Knutson Lake	Rust Sampson
Blake	Gallagher	Letts	Schirmer
Bradley	Garber of Floyd	Lichty	Schulte
Brady	Gilbert	Lieberknecht	Scott of Fremont
Brittain	Gilmore	Long	Smith of Chickasaw
Buffington	Graham	Lovrien	Stock
Clark	Grimwood	Mathews	Stokesberry
Cole	Hansen	Moen	Storey
Dewar	Hauge	Olson	Strippel
Diltz	Healy	Parsons	Vincent
Donhowe	Henderson	Patterson	Williams
Doolittle	Himebauch	Peterson	Wilson
Dotts	Hollis	Quirk	Mr. Speaker—61
Edge	Johnson	Rhinehart	
Edson	King	Robson	

Absent or not voting:

Carter	Gibson	Ramsey
Colbert	Ontjes	Rumley
Garber of Adair	Powers	Yenter—9

The amendment was rejected.

Clark of Linn offered the following amendment and moved its adoption:

Amend by substituting for the committee amendment to section two (2) the following:

Amend section two (2) by striking out of line two (2) the words and figures "sixty (60) days" and inserting in lieu thereof the words and figure "four (4) months".

Amendment adopted.

The following amendment filed by Parsons of Calhoun was taken up and considered:

Amend House File No. 246 by striking therefrom all of section fourteen (14) and by substituting in lieu thereof the following:

"Every applicant for such admission must be at least twenty-one years of age, of good moral character, and an inhabitant of this state, and must have actually and in good faith pursued a regular course of study of the law for at least three full years, either in the office of a member of the bar in regular practice of this state or other state, or of a judge of a court of record thereof, or in some reputable law school in the United States, or partly in such office and partly in such law school; but, in reckoning such period of study, the school year of any such law school, consisting of not less than thirty-six weeks exclusive of vacations, shall be considered equivalent to a full year. Every such applicant for admission must also have actually and in good faith acquired a general education substantially equivalent to that involved in the completion of a high-school course of study of at least four years in extent."

## SPECIAL ORDER NO. 1

Time having arrived for the consideration of Special Order No. 1, Senate File No. 135, a bill for an act to amend, revise, and codify sections thirty-two hundred five (3205) of the compiled code of Iowa, and thirty-two hundred six (3206) of the supplement to said code, relating to the sheriff, was taken up for consideration.

Forsling of Woodbury moved that Senate File No. 135 be referred to the committee on compensation of public officers.

Himebauch of Emmet moved that action on Senate File No. 135 be deferred and that the bill be made a special order for Wednesday, January 16th, at 11:00 a. m.

Moen of Lyon moved the previous question as applied to the motion by Himebauch of Emmet.

Motion prevailed.

On the question "Shall action on Senate File No. 135 be deferred and the bill be made a special order for Wednesday, January 16th, at 11:00 a. m.?" a roll call was demanded.

The ayes were:

Bradley	Graham	Napier	Saunders
Brittain	Hattendorf	Natvig	Schirmer
Cole	Hauge	Oliver	Scott of Fremont
Donhowe	Healy	Parsons	Slemmons
Doolittle	Himebauch	Patterson	Stock
Dotts	Lieberknecht	Peterson	Smith of
Edson	Long	Quirk	Chickasaw
Fackler	McClune	Rankin	Strippel
Gallagher	Miller	Robson	Wamstad
Gilbert	Moen	Rust	Williams—39

The nays were:

Aiken	Forsling	Knutson	Rhinehart
Anderson of	Frahm	Lake	Sampson
Webster	Garber of Floyd	Leonard	Schulte
Berry	Gesman	Letts	Scott of
Blake	Gilbertson	Lichty	Appanoose
Blume	Gilmore	Lovrien	Smith of Lucas
Brady	Grimwood	Mathews	Stookesberry
Buffington	Hansen	Matthiesen	Storey
Children	Harrison	Noble	Ulstad
Clark	Held	O'Donnell	Venard
Criswell	Hempel	Olson	Vincent
Dewar	Henderson	Orr	Weber
Diltz	Hollis	Potts	Wilson
Dooley	Huff	Ramsey	Wolfe
Edge	Johnson	Rassler	Mr Speaker—61
Elliott	King	Rewoldt	

Absent or not voting:

Carter	Garber of Adair	Ontjes	Rumley
Colbert	Gibson	Powers	Yenter—8

The motion to defer action was lost.

Olson of Clinton moved the previous question as applied to the motion by Forsling of Woodbury.

Motion prevailed.

On the question "Shall Senate File No. 135 be referred to the committee on compensation of public officers?" a roll call was demanded.

The ayes were:

Aiken	Gilbert	Knutson	Sampson
Berry	Gilbertson	Lake	Scott of
Children	Gilmore	Leonard	Appanoose
Clark	Graham	Lichty	Smith of Lucas
Diltz	Grimwood	Mathews	Stokesberry
Dooley	Hansen	Matthiesen	Storey
Doolittle	Harrison	Noble	Ulstad
Dotts	Held	O'Donnell	Venard
Edge	Hempel	Orr	Wolfe
Edson	Henderson	Ramsey	Mr. Speaker—45
Forsling	Hollis	Rassler	
Gesman	Huff	Rhinehart	

The nays were:

Anderson of	Fackler	Miller	Rust
Webster	Frahm	Moen	Saunders
Blake	Gallagher	Napier	Schirmer
Blume	Garber of Floyd	Natvig	Schulte
Bradley	Hattendorf	Oliver	Scott of Fremont
Brady	Hauge	Olson	Stock
Brittain	Healy	Parsons	Strippel
Buffington	Himebauch	Patterson	Vincent
Colbert	Johnson	Peterson	Wamstad
Cole	Letts	Potts	Weber
Criswell	Lieberknecht	Quirk	Williams
Dewar	Long	Rankin	Wilson—53
Donhowe	Lovrien	Rewoldt	
Elliott	McClune	Robson	

Absent or not voting:

Carter	King	Rumley	Slemmons
Garber of Adair	Ontjes	Smith of	Yenter—10
Gibson	Powers	Chickasaw	

The motion to refer Senate File No. 135 to the committee on compensation of public officers was lost.

The following amendments filed by Hauge of Polk were taken up and considered:

Amend the amendment offered by Lake of Woodbury by substituting therefor the following:

Strike subsection eleven (11) and twelve (12) from section one (1) of Senate File No. 135 and substitute in lieu thereof the following:

"11. For boarding, washing, and care of each prisoner, a compensation of sixty cents (60c) per day."

Also amend by renumbering subsection thirteen (13) as "twelve (12)", fourteen (14) as "thirteen (13)" and fifteen as "fourteen (14)".

Mr. Hauge moved the adoption of the amendments.

A roll call was demanded.

On the question "Shall the amendments be adopted?"

The ayes were:

Brittain                      Hauge—2

The nays were:

Aiken	Garber of Floyd	Lovrien	Sampson
Anderson of	Gesman	McClune	Saunders
Webster	Gilbert	Mathews	Schirmer
Berry	Gilbertson	Matthiesen	Schulte
Blake	Gilmore	Miller	Scott of Fremont
Blume	Grimwood	Moen	Scott of
Bradley	Hansen	Napier	Appanoose
Buffington	Harrison	Natvig	Slemmons
Children	Hattendorf	Noble	Smith of
Colbert	Healy	O'Donnell	Chickasaw
Cole	Held	Oliver	Smith of Lucas
Criswell	Hempel	Olson.	Stock
Dewar	Henderson	Orr	Stokesberry
Diltz	Himebauch	Parsons	Storey
Donhowe	Hollis	Patterson	Strippel
Dooley	Huff	Peterson	Ulstad
Dotts	Johnson	Potts	Venard
Edge	King	Quirk	Vincent
Edson	Knutson	Ramsey	Wamstad
Elliott	Lake	Rankin	Weber
Fackler	Leonard	Rassler	Williams
Forsling	Letts	Rewoldt	Wilson
Frahm	Lichty	Robson	Wolfe
Gallagher	Long	Rust	Mr. Speaker—93

Absent or not voting:

Brady	Garber of Adair	Ontjes	Yenter—13
Carter	Gibson	Powers	
Clark	Graham	Rhinehart	
Doolittle	Lieberknecht	Rumley	

The amendment was rejected.

Lake of Woodbury moved that the House now adjourn until 1:30 p. m. today.

Clark of Linn moved to amend the motion by changing the hour from 1:30 p. m. to 4:00 p. m.

Amendment adopted.

Motion of Lake of Woodbury, as amended, prevailed and the House stood adjourned.

### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

### BUSINESS PENDING

The House resumed consideration of Senate File No. 135, a bill for an act to amend, revise, and codify sections thirty-two hundred five (3205) of the compiled code of Iowa, and thirty-two hundred six (3206) of the supplement to said code, relating to the sheriff.

Long of Jefferson moved the previous question as applied to all pending amendments.

Motion prevailed.

The following substitute amendment, filed by Clark of Linn, was taken up for consideration:

Amend Senate File No. 135 by substituting for the amendment by Lake of Woodbury the following:

Amend Senate File No. 135 by adding the following to subsection 11 of section 1 thereof:

"But the amount allowed a sheriff for lodging prisoners shall in no event exceed in the aggregate the sum of two hundred fifty dollars (\$250.00) for any calendar year."

Mr. Clark moved that his amendment be substituted for the amendment offered by Lake of Woodbury.

A roll call was demanded.

On the question "Shall the amendment by Clark of Linn be substituted for the amendment offered by Lake of Woodbury?"

## The ayes were:

Aiken	Forsling	Letts	Scott of
Blume	Gallagher	Long	Appanoose
Brady	Garber of Floyd	Lovrier	Smith of
Brittain	Gilmore	McClune	Chickasaw
Buffington	Graham	Moen	Smith of Lucas
Clark	Grimwood	Noble	Stookesberry
Colbert	Hansen	Oliver	Strippel
Cole	Hattendorf	Parsons	Venard
Donhowe	Healy	Patterson	Vincent
Doolittle	Hempel	Peterson	Wamstad
Dotts	Henderson	Rassler	Williams
Edge	Himebauch	Rewoldt	Wilson
Edson	Hollis	Sampson	Mr. Speaker—56
Elliott	Johnson	Saunders	
Fackler	Lake	Schirmer	

## The nays were:

Anderson of	Gilbert	Matthiesen	Robson
Webster	Harrison	Napier	Schulte
Blake	Held	Olson	Scott of Fremont
Bradley	Huff	Orr	Slemmons
Children	King	Potts	Stock
Criswell	Knutson	Quirk	Ulstad
Dewar	Leonard	Ramsey	Weber—30
Dooley	Mathews	Rankin	

## Absent or not voting:

Berry	Gibson	Natvig	Rust
Carter	Gilbertson	O'Donnell	Storey
Diltz	Hauge	Ontjes	Wolfe
Frahm	Lichty	Powers	Yenter—22
Garber of Adair	Lieberknecht	Rhinehart	
Gesman	Miller	Rumley	

Motion prevailed and the substitution was made.

Mr. Clark then moved that his substitute amendment be adopted.

A roll call was demanded.

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

## The ayes were:

Aiken	Edge	Hollis	Rewoldt
Anderson of	Edson	Johnson	Sampson
Webster	Fackler	King	Saunders
Berry	Forsling	Lake	Schirmer
Blake	Gallagher	Letts	Scott of
Brady	Garber of Floyd	Lieberknecht	Appanoose
Brittain	Gilmore	Long	Smith of
Buffington	Graham	Lovrien	Chickasaw
Clark	Grimwood	McClune	Smith of Lucas
Colbert	Hattendorf	Moen	Stookesberry
Cole	Hauge	Oliver	Strippel
Donhowe	Healy	Parsons	Venard
Dooley	Held	Patterson	Vincent
Doolittle	Henderson	Peterson	Wilson
Dotts	Himebauch	Rassler	Mr. Speaker—57

## The nays were:

Blume	Hansen	Napier	Robson
Bradley	Harrison	Olson	Scott of Fremont
Children	Knutson	Orr	Stock
Criswell	Leonard	Potts	Ulstad
Dewar	Lichty	Quirk	Weber—26
Elliott	Mathews	Ramsey	
Frahm	Matthiesen	Rankin	

## Absent or not voting:

Carter	Hempel	Powers	Wamstad
Diltz	Huff	Rhinehart	Williams
Garber of Adair	Miller	Rumley	Wolfe
Gesman	Natvig	Rust	Yenter—25
Gibson	Noble	Schulte	
Gilbert	O'Donnell	Slemmons	
Gilbertson	Ontjes	Storey	

So the substitute amendment was adopted.

Vincent of Guthrie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Aiken	Gallagher	Lichty	Schirmer
Anderson of Webster	Garber of Floyd	Lieberknecht	Scott of Appanoose
Berry	Gilbert	Long	Scott of Fremont
Blume	Gilbertson	Lovrien	Slemmons
Bradley	Gilmore	McClune	Smith of Chickasaw
Brady	Graham	Mathews	Smith of Lucas
Brittain	Grimwood	Moen	Stock
Buffington	Hansen	Oliver	Stookesberry
Clark	Hattendorf	Orr	Strippel
Colbert	Hauge	Parsons	Venard
Cole	Healy	Patterson	Vincent
Dewar	Held	Peterson	Wamstad
Donhowe	Hempel	Potts	Weber
Dooley	Henderson	Quirk	Williams
Doolittle	Himebauch	Ramsey	Wilson
Dotts	Hollis	Rankin	Mr. Speaker—78
Edge	Huff	Rassler	
Edson	Johnson	Robson	
Fackler	King	Rust	
Frahm	Lake	Sampson	
	Letts	Saunders	

## The nays were:

Blake	Diltz	Harrison	Matthiesen
Children	Elliott	Knutson	Napier
Criswell	Forsling	Leonard	Olson—12

## Absent or not voting:

Carter	Natvig	Rewoldt	Ulstad
Garber of Adair	Noble	Rhinehart	Wolfe
Gesman	O'Donnell	Rumley	Yenter—18
Gibson	Ontjes	Schulte	
Miller	Powers	Storey	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House resumed consideration of House File No. 246, a bill for an act to amend, revise, and codify sections seventy hundred thirty-two (7032), eighty-four hundred eighty-six (8486), eighty-four hundred ninety (8490), eighty-four hundred ninety-one (8491), eighty-four hundred ninety-five (8495), eighty-four hundred ninety-six (8496), eighty-four hundred ninety-seven (8497), eighty-four hundred ninety-nine (8499), eighty-five hundred (8500), eighty-five hundred two (8502), eighty-five hundred four (8504) and eighty-five hundred twenty-eight (8528) of the compiled code of Iowa, relating to procedure in the supreme court.

The question was on the amendment by Parsons of Calhoun.

Himebauch of Emmet moved the previous question as applied to the amendment by Parsons of Calhoun.

Motion prevailed.

Forsling of Woodbury moved that the rule stopping debate after the previous question has been ordered be suspended and that the gentleman from Iowa, Mr. Gallagher, and the junior gentleman from Lee, Mr. Potts, each be privileged to speak five minutes on the amendment.

The motion, having received a two-thirds vote, prevailed.

Blake of Fayette moved that the House now adjourn until 10:00 a. m. Thursday.

Doolittle of Delaware moved to amend the motion by changing the hour from 10:00 a. m. to 9:30 a. m.

Amendment lost.

Motion to adjourn lost.

On the question "Shall the amendment by Parsons of Calhoun be adopted?" a roll call was demanded.

## The ayes were:

Aiken	Garber of Floyd	Long	Schulte
Anderson of Webster	Gilbertson	McClune	Scott of Appanoose
Berry	Gilmore	Mathews	Scott of Fremont
Blake	Graham	Matthiesen	Slemmons
Blume	Harrison	Miller	Smith of Chickasaw
Bradley	Hattendorf	Moen	Smith of Lucas
Brady	Hauge	Napier	Stock
Brittain	Healy	Natvig	Stokesberry
Buffington	Held	Noble	Strippel
Children	Hempel	Oliver	Ulstad
Colbert	Henderson	Orr	Venard
Criswell	Himebauch	Parsons	Vincent
Dewar	Hollis	Patterson	Wamstad
Donhowe	Huff	Peterson	Wilson
Dooley	King	Potts	Wolfe
Dotts	Knutson	Quirk	Mr. Speaker—75
Edge	Leonard	Rassler	
Fackler	Letts	Rewoldt	
Frahm	Lichty	Robson	
	Lieberknecht	Saunders	

## The nays were:

Clark	Forsling	Johnson	Rust
Cole	Gallagher	Lake	Sampson
Diltz	Gilbert	Lovrien	Weber
Doolittle	Grimwood	Olson	Williams—19
Edson	Hansen	Rankin	

## Absent or not voting:

Carter	Gibson	Ramsey	Storey
Elliott	O'Donnell	Rhinehart	Yenter—14
Garber of Adair	Ontjes	Rumley	
Gesman	Powers	Schirmer	

Amendment adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate File No. 139.

House File No. 282.

C. F. LETTS, *Chairman House Committee.*F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## REPORTS OF COMMITTEES

By unanimous consent the House returned to the order of reports of committees.

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 241, a bill for an act to amend, revise, and codify sections eight thousand one hundred sixty (8160), eight thousand one hundred sixty-one (8161), eight thousand one hundred sixty-six (8166), and eight thousand one hundred seventy-eight (8178) of the compiled code of Iowa, relating to foreclosure and release of mortgages, and sales under pledge, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section 3 by striking out all of said section after the word "debt" in line 6 thereof.

Amend section 4 by striking out all of the first six lines and inserting in lieu thereof the following:

"The notice shall be served upon the pledgor if in the county in which the property is held and shall be posted for ten (10) days in three (3) public places in the township of the pledgor's residence. Such notice shall contain a full and accurate description of the property to be sold, the day and hour when, and the place at which the same will be sold. If the pledgor is not a resident of the county where the property is held, such notice shall be posted for ten (10) days in three (3) public places of such county."

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 229, a bill for an act to amend, revise, and codify sections seven thousand two hundred three (7203), seven thousand two hundred eight (7208), seven thousand two hundred nine (7209), seven thousand two hundred twelve (7212), seven thousand two hundred eighteen (7218) and seven thousand two hundred twenty-two (7222) of the compiled code of Iowa, relating to pleadings, beg leave to report they have had 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. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 40, a bill for an act to amend, revise, and codify sections seven hundred six (706), seven hundred seven (707), seven hundred ten (710), seven hundred sixteen (716), seven hundred seventeen (717), seven hundred nineteen (719) to seven hundred twenty-two (722), inclusive, of the compiled code of Iowa, relating to the deposit of public funds by

officers, and to the salaries, fees, expenses, and expenditures of such officers, and to the publication and posting of legal notices, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section 1 by inserting after the word "shall" in line 5 thereof the words "unless otherwise provided".

Amend section 4 by striking out of lines 2 and 3 the words "except the state board of education and the board of control of state institutions".

Amend section 4 by striking out of line 3 the word and figure "three (3)" and inserting in lieu thereof the word and figures "ten (10)".

C. F. CLARK, *Chairman*.

Report adopted.

#### AMENDMENTS FILED

McClune of Mahaska filed the following amendments to House File No. 100:

Amend House File No. 100 as follows:

Amend section one (1) by changing the period after the word "Iowa" in line fourteen (14) to a semi-colon (;) and by adding the words "or community high school district of (some appropriate name or number) in the county of (naming county), state of Iowa."

Amend section forty-five (45) by striking out the word "consolidated" in the first line, also the words "and of each"; and out of the second line the words "school township".

Amend section forty-six (46) of the bill by striking out of line four (4) thereof the word "consolidated" and inserting in lieu thereof the word "central".

Amend the bill by adding thereto the following sections:

"Sec. 49. Community high school districts.

Community high school districts may be organized to comprise contiguous territory of any number of rural independent districts not fewer than four (4), by proceeding as provided in sections sixteen (16) to twenty-five (25), inclusive, and sections twenty-nine (29) to thirty-two (32), inclusive, of this chapter except

1. That a separate election on the proposition shall be called and conducted on the same day and during the same hours in each rural independent and each subdistrict proposed to be included.

2. That judges of election shall be appointed for each of such subdistricts and independent district proposed to be included.

Sec. 50. When established—laws applicable.

If in each of the subdistricts and independent districts proposed to be included in the community high school district, the majority of the voters at such election shall vote in favor thereof, the said community high school district shall be deemed to have been established and the provisions of sections thirty-seven (37) and thirty-eight (38) and forty-four (44) and forty-seven (47), inclusive, of this chapter shall be applicable thereto.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bill: House File No. 282.

Lake of Woodbury moved that the House now adjourn until 9:30 a. m. Thursday.

Motion prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 10, 1924.

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

Prayer was offered by Rev. J. C. Austin, pastor of the M. E. church, Douds, Iowa.

Journal of January 9th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: O'Donnell of Dubuque for the day, on request of Weber of Dubuque; Garber of Adair for the day, on request of Vincent of Guthrie; Wamstad of Mitchell for the day, on request of Vincent of Guthrie; Huff of Cass indefinitely, on request of Slemmons of Buchanan.

## PETITIONS

Hempel of Clayton presented a petition from citizens of Strawberry Point, urging amendments to House File No. 92. Referred to committee on state educational institutions.

Leonard of Taylor presented a petition from voters of Taylor county, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## BUSINESS PENDING

The House resumed consideration of House File No. 246, a bill for an act to amend, revise, and codify sections seventy hundred thirty-two (7032), eighty-four hundred eighty-six (8486), eighty-four hundred ninety (8490), eighty-four hundred ninety-one (8491), eighty-four hundred ninety-five (8495), eighty-four hundred ninety-six (8496), eighty-four hundred ninety-seven (8497), eighty-four hundred ninety-nine (8499), eighty-five hundred

(8500), eighty-five hundred two (8502), eighty-five hundred four (8504) and eighty-five hundred twenty-eight (8528) of the compiled code of Iowa, relating to procedure in the supreme court.

The following amendments filed by Vincent of Guthrie were taken up for consideration:

Amend House File No. 246 by striking from section twelve (12) thereof all of said section following the word "filed" in line three (3) thereof.

Also amend section thirteen (13) by striking therefrom all of the last sentence thereof.

A division of the amendments was asked for.

On motion of Mr. Vincent, the amendment to section twelve (12) was adopted.

Mr. Vincent moved the adoption of the amendment to section thirteen (13).

Amendment to section thirteen (13) lost.

On motion of Lovrien of Humboldt, the committee amendments, as amended, were adopted.

Mr. Lovrien moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Lichy	Robson
Anderson of	Frahm	Lieberknecht	Rust
Webster	Gallagher	Long	Sampson
Berry	Garber of Floyd	Lovrien	Schirmer
Blake	Gesman	McClune	Scott of
Blume	Gibson	Mathews	Appanoose
Bradley	Gilbertson	Miller	Scott of Fremont
Brady	Gilmore	Moen	Slemmons
Brittain	Graham	Napier	Smith of
Buffington	Grimwood	Natvig	Chickasaw
Carter	Hansen	Noble	Smith of Lucas
Children	Harrison	Oliver	Stock
Clark	Hattendorf	Olson	Stokesberry
Colbert	Hauge	Ontjes	Storey
Criswell	Healy	Orr	Strippel
Dewar	Held	Parsons	Venard
Diltz	Hempel	Patterson	Vincent
Donhowe	Henderson	Peterson	Weber
Dooley	Himebauch	Potts	Williams
Doolittle	Hollis	Quirk	Wilson
Dotts	Johnsop	Ramsey	Wolfe
Edge	King	Rankin	Mr. Speaker—94
Edson	Knutson	Rassler	
Elliott	Leonard	Rewoldt	
Fackler	Letts	Rhinehart	

The nays were, none.

Absent or not voting:

Cole	Lake	Rumley	Wamstad
Garber of Adair	Matthiesen	Saunders	Yenter—14
Gilbert	O'Donnell	Schulte	
Huff	Powers	Ulstad	

So the bill having received a constitutional majority was declared to have passed the House.

Parsons of Calhoun offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 246 by changing the period to a comma at the end thereof and adding thereto the following: "and qualifications for admission to the bar."

Amendment adopted and the title, as amended, was agreed to.

House File No. 22, a bill for an act to amend, revise, and codify chapter three (3) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to nominations by caucus, convention, or petition, with report of committee recommending passage, was taken up for consideration.

Held of Plymouth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Frahm	Lichty	Robson
Anderson of Webster	Gallagher	Lieberknecht	Rust
Berry	Garber of Floyd	Long	Sampson
Blake	Gesman	Lovrien	Saunders
Blume	Gibson	McClune	Schirmer
Bradley	Gilbert	Mathews	Schulte
Brady	Gilbertson	Matthiesen	Scott of Appanoose
Brittain	Gilmore	Moen	Scott of Fremont
Buffington	Graham	Napier	Slemmons
Carter	Grimwood	Natvig	Smith of Chickasaw
Children	Hansen	Noble	Smith of Lucas
Clark	Harrison	Oliver	Stock
Colbert	Hattendorf	Olson	Stookesberry
Cole	Hauge	Ontjes	Storey
Diltz	Held	Orr	Strippel
Donhowe	Hempel	Parsons	Ulstad
Dooley	Himebauch	Peterson	Venard
Doolittle	Hollis	Powers	Vincent
Dotts	Johnson	Quirk	Weber
Edson	King	Ramsey	Williams
Elliott	Knutson	Rankin	Wilson
Fackler	Lake	Rassler	Mr. Speaker—93
Forsling	Leonard	Rewoldt	
	Letts	Rhinehart	

The nays were:

Criswell	Edge	Patterson
Dewar	Miller	Wolfe—6

Absent or not voting:

Garber of Adair	Huff	Rumley
Healy	O'Donnell	Wamstad
Henderson	Potts	Yenter—9

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 154, a bill for an act to amend, revise, and codify sections three thousand five hundred eight (3508), three thousand five hundred nine (3509), three thousand five hundred eleven (3511) to three thousand five hundred eighteen (3518), inclusive, three thousand five hundred twenty-one (3521), three thousand five hundred twenty-two (3522), three thousand five hundred thirty (3530) to three thousand five hundred thirty-three (3533), inclusive, three thousand five hundred thirty-five (3535), three thousand five hundred thirty-six (3536), three thousand five hundred forty-one (3541), three thousand five hundred fifty (3550), three thousand five hundred fifty-one (3551), three thousand five hundred fifty-three (3553), three thousand five hundred fifty-four (3554), three thousand six hundred forty (3640), and three thousand seven hundred sixty-six (3766) of the compiled code of Iowa and section thirty-five hundred eleven-a one (3511-a1) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Forsling of Woodbury the amendments proposed by the committee were adopted.

The following amendment filed by Children of Pottawattamie was taken up and considered:

Amend House File No. 154, section 16, subsection 5, by inserting in line 19 before the word "compel" the words "Have power to".

Mr. Children moved the adoption of the amendment.

#### MOTION TO RECONSIDER WITHDRAWN

Time having arrived for Special Order No. 1, the motion filed to reconsider the vote by which the House adopted the report of

the committee on code revision, relative to the introduction and consideration of bills, was taken up for consideration.

By unanimous consent the motion to reconsider was withdrawn from further consideration by the House.

#### CONSIDERATION OF BILLS

The House resumed consideration of House File No. 154.

The question was on the amendment by Children of Pottawat-tamie.

Amendment adopted.

Forsling of Woodbury moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Lieberknecht	Robson
Anderson	Frahm	Long	Rust
of Webster	Gallagher	Lovrien	Sampson
Berry	Gesman	McClune	Saunders
Blake	Gilbert	Matthews	Schirmer
Blume	Gilbertson	Matthiesen	Schulte
Bradley	Gilmore	Miller	Scott
Brady	Graham	Moen	of Appanoose
Brittain	Grimwood	Napier	Scott of Fremont
Buffington	Hansen	Natvig	Slemmons
Carter	Hattendorf	Noble	Smith of Lucas
Children	Hauge	Oliver	Stock
Clark	Healy	Olson	Stokesberry
Colbert	Held	Ontjes	Storey
Cole	Hempel	Orr	Strippel
Criswell	Henderson	Parsons	Ulstad
Dewar	Himebauch	Patterson	Venard
Diltz	Hollis	Peterson	Weber
Donhowe	Johnson	Potts	Williams
Dooley	King	Powers	Wilson
Doolittle	Knutson	Quirk	Wolfe
Dotts	Lake	Ramsey	Mr. Speaker—95
Edge	Leonard	Rassler	
Edson	Letts	Rewoldt	
Elliott	Lichty	Rhinehart	

The nays were, none.

Absent or not voting:

Fackler	Harrison	Rumley	Wamstad
Garber of Adair	Huff	Smith	Yenter—13
Garber of Floyd	O'Donnell	of Chickasaw	
Gibson	Rankin	Vincent	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 170, a bill for an act to amend, revise, and codify sections three thousand eight hundred sixty-one (3861) to three thousand eight hundred seventy-two (3872), inclusive, three thousand nine hundred thirty-seven (3937), three thousand nine hundred thirty-eight (3938), three thousand nine hundred fifty-three (3953), and three thousand nine hundred fifty-four (3954) of the compiled code of Iowa, and sections three thousand nine hundred forty-four (3944) and three thousand nine hundred fifty (3950) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Forsling of Woodbury the amendments proposed by the committee were adopted.

Diltz of Polk offered the following amendments and moved their adoption:

Amend House File No. 170 by striking out the word "ordinance" in line seven (7) of section six (6) and inserting in lieu thereof the word "resolution".

Also, amend section three (3), line two (2), by striking out the word "shall" and inserting in lieu thereof the word "may".

Amendments adopted.

Mr. Forsling moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Diltz	Gilbertson	Lake
Webster	Donhowe	Gilmore	Leonard
Berry	Dooley	Graham	Letts
Blake	Doolittle	Grimwood	Lichty
Blume	Dotts	Harrison	Lieberknecht
Bradley	Edge	Hattendorf	Long
Brady	Elliott	Hauge	McClune
Brittain	Fackler	Healy	Mathews
Buffington	Forsling	Hempel	Matthiesen
Carter	Frahm	Henderson	Miller
Children	Gallagher	Himebauch	Moen
Clark	Garber of Floyd	Hollis	Napler
Colbert	Gesman	Johnson	Natvig
Cole	Gibson	King	Noble
Criswell	Gilbert	Knutson	Oliver

Olson	Rassler	Scott of	Storey
Ontjes	Rewoldt	Appanoose	Strippel
Orr	Rhinehart	Scott of Fremont	Venard
Parsons	Robson	Slemmons	Weber
Patterson	Rust	Smith of	Williams
Peterson	Sampson	Chickasaw	Wilson
Potts	Saunders	Smith of Lucas	Wolfe
Powers	Schirmer	Stock	Mr Speaker—92
Quirk	Schulte	Stookesberry	

The nays were, none.

Absent or not voting:

Aiken	Hansen	O'Donnell	Ulstad
Dewar	Held	Ramsey	Vincent
Edson	Huff	Rankin	Wamstad
Garber of Adair	Lovrien	Rumley	Yenter—16

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 163, a bill for an act to amend, revise, and codify sections thirty-seven hundred thirty-eight (3738) and thirty-seven hundred thirty-nine (3739) of the compiled code of Iowa, and sections thirty-seven hundred thirty-four (3734) and thirty-seven hundred thirty-seven-a one (3737-a1) of the supplement to said code, relating to juvenile playgrounds, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Forsling of Woodbury the amendments proposed by the committee were adopted.

Mr. Forsling moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Criswell	Gesman	Himebauch
Anderson	Dewar	Gibson	Hollis
of Webster	Diltz	Gilbert	Johnson
Berry	Donhowe	Gilbertson	King
Blake	Dooley	Graham	Knutson
Blume	Doolittle	Grimwood	Leonard
Bradley	Dotts	Hansen	Letts
Brady	Edson	Harrison	Lichty
Brittain	Elliott	Hattendorf	Lieberknecht
Buffington	Fackler	Hauge	Long
Carter	Forsling	Healy	Lovrien
Clark	Frahm	Held	McClune
Colbert	Gallagher	Hempel	Mathews
Cole	Garber of Floyd	Henderson	Miller

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 170, a bill for an act to amend, revise, and codify sections three thousand eight hundred sixty-one (3861) to three thousand eight hundred seventy-two (3872), inclusive, three thousand nine hundred thirty-seven (3937), three thousand nine hundred thirty-eight (3938), three thousand nine hundred fifty-three (3953), and three thousand nine hundred fifty-four (3954) of the compiled code of Iowa, and sections three thousand nine hundred forty-four (3944) and three thousand nine hundred fifty (3950) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Forsling of Woodbury the amendments proposed by the committee were adopted.

Diltz of Polk offered the following amendments and moved their adoption:

Amend House File No. 170 by striking out the word "ordinance" in line seven (7) of section six (6) and inserting in lieu thereof the word "resolution".

Also, amend section three (3), line two (2), by striking out the word "shall" and inserting in lieu thereof the word "may".

Amendments adopted.

Mr. Forsling moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Diltz	Gilbertson	Lake
Webster	Donhowe	Gilmore	Leonard
Berry	Dooley	Graham	Letts
Blake	Doolittle	Grimwood	Lichty
Blume	Dotts	Harrison	Lieberknecht
Bradley	Edge	Hattendorf	Long
Brady	Elliott	Hauge	McClune
Brittain	Fackler	Healy	Mathews
Buffington	Forsling	Hempel	Matthiesen
Carter	Frahm	Henderson	Miller
Children	Gallagher	Himebauch	Moen
Clark	Garber of Floyd	Hollis	Napier
Colbert	Gesman	Johnson	Natvig
Cole	Gibson	King	Noble
Criswell	Gilbert	Knutson	Oliver

Olson	Rassler	Scott of	Storey
Ontjes	Rewoldt	Appanoose	Strippel
Orr	Rhinehart	Scott of Fremont	Venard
Parsons	Robson	Slemmons	Weber
Patterson	Rust	Smith of	Williams
Peterson	Sampson	Chickasaw	Wilson
Potts	Saunders	Smith of Lucas	Wolfe
Powers	Schirmer	Stock	Mr Speaker—92
Quirk	Schulte	Stookesberry	

The nays were, none.

Absent or not voting:

Aiken	Hansen	O'Donnell	Ulstad
Dewar	Held	Ramsey	Vincent
Edson	Huff	Rankin	Wamstad
Garber of Adair	Lovrien	Rumley	Yenter—16

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 163, a bill for an act to amend, revise, and codify sections thirty-seven hundred thirty-eight (3738) and thirty-seven hundred thirty-nine (3739) of the compiled code of Iowa, and sections thirty-seven hundred thirty-four (3734) and thirty-seven hundred thirty-seven-a one (3737-a1) of the supplement to said code, relating to juvenile playgrounds, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Forsling of Woodbury the amendments proposed by the committee were adopted.

Mr. Forsling moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Crisswell	Gesman	Himebauch
Anderson	Dewar	Gibson	Hollis
of Webster	Diltz	Gilbert	Johnson
Berry	Donhowe	Gilbertson	King
Blake	Dooley	Graham	Knutson
Blume	Doolittle	Grimwood	Leonard
Bradley	Dotts	Hansen	Letts
Brady	Edson	Harrison	Lichty
Brittain	Elliott	Hattendorf	Lieberknecht
Buffington	Fackler	Hauge	Long
Carter	Forsling	Healy	Lovrien
Clark	Frahm	Held	McClune
Colbert	Gallagher	Hempel	Mathews
Cole	Garber of Floyd	Henderson	Miller

Moen	Peterson	Schirmer	Stokesberry
Napier	Powers	Schulte	Storey
Natvig	Quirk	Scott	Strippel
Noble	Rankin	of Appanoose	Ulstad
Oliver	Rewoldt	Scott of Fremont	Venard
Olson	Rhinehart	Slemmons	Vincent
Ontjes	Robson	Smith	Weber
Orr	Rust	of Chickasaw	Wilson
Parsons	Sampson	Smith of Lucas	Wolfe
Patterson	Saunders	Stock	Mr. Speaker—93

The nays were:

Children—1

Absent or not voting:

Edge	Lake	Ramsey	Williams
Garber of Adair	Matthieson	Rassler	Yenter—14
Gilmore	O'Donnell	Rumley	
Huff	Potts	Wamstad	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 52, a bill for an act to amend, revise, and codify sections ten hundred twenty-eight (1028) to ten hundred thirty (1030), inclusive, and sections ten hundred thirty-two (1032), ten hundred thirty-five (1035), and ten hundred thirty-six (1036) of the compiled code of Iowa, relating to houses of prostitution, with report of committee recommending passage, was taken up for consideration.

Hansen of Scott moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Donhowe	Graham	Lichty
Anderson of Webster	Dooley	Grimwood	Lieberknecht
Berry	Doolittle	Hansen	Long
Blake	Dotts	Harrison	Lovrien
Blume	Edge	Hattendorf	McClune
Bradley	Edson	Hauge	Mathews
Brady	Elliott	Healy	Miller
Brittain	Fackler	Held	Moen
Buffington	Forsling	Hempel	Napier
Carter	Frahm	Henderson	Natvig
Children	Gallagher	Himebauch	Noble
Clark	Garber of Floyd	Hollis	Oliver
Colbert	Gesman	Johnson	Olson
Cole	Gibson	King	Ontjes
Criswell	Gilbert	Knutson	Orr
	Gilbertson	Leonard	Parsons

Patterson	Rhinehart	Scott of Fremont	Ulstad
Peterson	Robson	Slemmons	Venard
Potts	Rust	Smith of	Vincent
Powers	Sampson	Chickasaw	Weber
Quirk	Saunders	Smith of Lucas	Williams
Ramsey	Schirmer	Stock	Wilson
Rankin	Schulte	Stookesberry	Wolfe
Rassler	Scott of	Storey	Mr. Speaker—96
Rewoldt	Appanoose	Strippel	

The nays were, none.

Absent or not voting:

Dewar	Gilmore	Matthiesen	Yenter—12
Diltz	Huff	O'Donnell	
Garber of	Lake	Rumley	
Adair	Letts	Wamstad	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 274, a bill for an act to amend, revise, and codify sections ninety-two hundred eighty-seven (9287), ninety-three hundred fifty-two (9352) and ninety-three hundred eighty-nine (9389) of the compiled code of Iowa, relating to indictments, trial information, and demurrers thereto, with report of committee recommending passage, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson	Fackler	Leonard	Rankin
of Webster	Forsling	Lichty	Rassler
Berry	Frahm	Lieberknecht	Rewoldt
Blake	Gallagher	Long	Rhinehart
Blume	Garber of Floyd	Lovrien	Robson
Bradley	Gesman	McClune	Sampson
Brittain	Gibson	Miller	Saunders
Buffington	Gilbertson	Moen	Schirmer
Carter	Graham	Napier	Schulte
Clark	Grimwood	Natvig	Scott
Colbert	Hansen	Noble	of Appanoose
Cole	Harrison	Oliver	Scott of Fremont
Criswell	Hattendorf	Olson	Slemmons
Dewar	Healy	Orr	Smith
Diltz	Held	Parsons	of Chickasaw
Dooley	Henderson	Patterson	Smith of Lucas
Doollittle	Himebauch	Peterson	Stock
Dotts	Hollis	Potts	Stookesberry
Edge	Johnson	Powers	Storey
Edson	King	Quirk	Strippel
Elliott	Knutson	Ramsey	Ulstad

Venard	Weber	Wilson	Mr. Speaker—88
Vincent	Williams	Wolfe	

The nays were, none.

- Absent or not voting:

Aiken	Gilbert	Lake	Ontjes
Brady	Gilmore	Letts	Rumley
Children	Hauge	Mathews	Rust
Donhowe	Hempel	Matthiesen	Wamstad
Garber of Adair	Huff	O'Donnell	Yenter—20

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 245, a bill for an act to amend, revise, and codify sections eight thousand four hundred seventy-eight (8478) and eight thousand four hundred seventy-nine (8479) of the compiled code of Iowa, relating to the clerk of the supreme court, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Diltz of Polk the amendments proposed by the committee were adopted.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Long	Saunders
Anderson of	Frahm	Lovrien	Schirmer
Webster	Gallagher	McClune	Schulte
Berry	Garber of Floyd	Miller	Scott of
Blake	Gesman	Moen	Appanoose
Blume	Gibson	Napier	Scott of Fremont
Bradley	Gilbertson	Natvig	Slemmons
Brady	Gilmore	Noble	Smith of
Brittain	Graham	Oliver	Chickasaw
Buffington	Grimwood	Olson	Smith of Lucas
Carter	Hansen	Ontjes	Stock
Children	Harrison	Orr	Stookesberry
Clark	Hattendorf	Parsons	Storey
Colbert	Hauge	Patterson	Strippel
Cole	Held	Peterson	Ulstad
Criswell	Henderson	Potts	Venard
Dewar	Himebauch	Quirk	Vincent
Diltz	Hollis	Ramsey	Weber
Dooley	Johnson	Rankin	Williams
Doolittle	King	Rassler	Wilson
Dotts	Knutson	Rewoldt	Wolfe
Edge	Lake	Rhinehart	Mr. Speaker—94
Edson	Leonard	Robson	
Elliott	Lichty	Rust	
Fackler	Lieberknecht	Sampson	

The nays were, none.

Absent or not voting:

Donhowe	Hempel	Matthiesen	Wamstad
Garber of Adair	Huff	O'Donnell	Yenter—14
Gilbert	Letts	Powers	
Healy	Mathews	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 75, a bill for an act to amend, revise, and codify sections sixty-three hundred seventeen (6317) to sixty-three hundred thirty-two (6332), inclusive, of the compiled code of Iowa, and section sixty-three hundred twenty-seven-a one (6327-a1) of the supplement to said code, relating to chattel mortgages, real estate mortgages creating liens on personal property, and conditional sales of personal property, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Vincent of Guthrie the amendments proposed by the committee, were adopted.

Hauge of Polk offered the following amendment and moved its adoption:

Amend section three (3), line five (5), of Senate File No. 75, by striking therefrom the words "or true copy thereof".

Amendment adopted.

Mr. Vincent moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Criswell	Graham	Lieberknecht
Anderson	Dewar	Grimwood	Long
of Webster	Donhowe	Hattendorf	Lovrien
Berry	Dooley	Hauge	Mathews
Blake	Dotts	Held	Miller
Blume	Edge	Henderson	Moen
Bradley	Edson	Himebauch	Napier
Brady	Fackler	Hollis	Natvig
Brittain	Forsling	Johnson	Noble
Buffington	Gallagher	King	Oliver
Carter	Gesman	Knutson	Olson
Children	Gibson	Lake	Ontjes
Clark	Gilbertson	Letts	Orr
Cole	Gilmore	Lichty	Patterson

Peterson	Saunders	Slemmons	Vincent
Potts	Schirmer	Smith of Lucas	Weber
Quirk	Schulte	Stock	Wilson
Rankin	Scott	Stookesberry	Wolfe
Rassler	of Appanoose	Storey	Mr. Speaker—82
Rewoldt	Scott of Fremont	Strippel	
Rhinehart	Smith	Ulstad	
Robson	of Chickasaw	Venard	

The nays were:

Parsons—1

Absent or not voting:

Colbert	Gilbert	McClune	Sampson
Diltz	Hansen	Matthiesen	Wamstad
Doolittle	Harrison	O'Donnell	Williams
Elliott	Healy	Powers	Yenter—25
Frahm	Hempel	Ramsey	
Garber of Adair	Huff	Rumley	
Garber of Floyd	Leonard	Rust	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### MOTION WITHDRAWN

Forsling of Woodbury asked unanimous consent to withdraw the motion filed by him on January 8th, ordering the committee on ways and means to submit a budget bill for consideration of the House.

No objection being made, the motion was withdrawn.

#### HOUSE FILE NO. 71 REREFERRED

On request of Children of Pottawattamie, unanimous consent having been obtained, House File No. 71 was rereferred to the committee on animal industry.

#### 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. 74, a bill for an act to amend, revise, and codify chapter nine (9) of title twenty-one (21) of the compiled code of Iowa relating to limited partnership.

L. W. AINSWORTH, *Secretary.*

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 139, 271 and 287.

## BILL SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills submitted the following report:

**MR. SPEAKER:** Your committee of enrolled bills respectfully reports that it has, on this tenth day of January, 1924, sent to the governor for his approval: House File No. 282.

C. F. LETTS, *Chairman.*

Report adopted.

## AMENDMENTS FILED

Ontjes of Grundy filed the following amendments to the committee amendments to House File No. 208:

Amend the committee amendments to House File No. 208, section five (5), second paragraph, as found on page 254 of the House Journal of January 7th, by inserting after the word "appoint" in the second line of said paragraph, the following: ", for a term not to exceed one (1) year,".

Also further amend said second paragraph of section five (5), as found in the House Journal of January 7th, by inserting after the word "law" and preceding the period in line seven (7), the following: "for said department".

Also amend the committee amendments by striking out all of section seven (7), and by renumbering section eight (8) as section seven (7).

## MOTION FOR SPECIAL COMMITTEE ON SENATE FILE NO. 7

The following motion was filed:

**MR. SPEAKER:** We move that Senate File No. 7 be referred to a special committee of nine to be appointed by the Speaker of the House.

FRED HIMEBAUCH,  
W. C. CHILDREN,  
G. W. PATTERSON,  
A. O. HAUGE,  
T. E. MOEN,  
L. V. CARTER,  
FRED LOVRIEN.

On motion of Scott of Appanoose the House adjourned until 9:30 a. m. Friday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 11, 1924.

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

Prayer was offered by the Rev. John A. Pritchard, pastor of the Congregational church, Williamsburg, Iowa.

Journal of January 10th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Moen of Lyon for the remainder of the week, on request of Smith of Chickasaw; Garber of Adair for the day, on request of Vincent of Guthrie; Hauge of Polk until 10:00 a. m. today, on request of Vincent of Guthrie; Brittain of Madison for the day, on request of Schulte of Worth.

## PETITIONS

Donhowe of Story presented a resolution from Camp No. 458, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

## OATH OF OFFICE

The following named committee clerk 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.

ORA S. RYAN.

## REPORT OF COMMITTEE

Healy of Hancock, 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. 92, a bill for an act to amend, revise and codify chapters nine (9) and ten (10) of title ten (10) of the compiled

code of Iowa, and section two thousand three hundred forty-eight-a one (2348-a1) of the supplement to said code, relating to medical and surgical treatment of indigent 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 amended as follows, and when so amended the bill do pass:

Amend section one (1) by inserting after the word "Iowa" in line three (3) the following: "residing in the county where the complaint is filed."

Also by striking the period (.) at the end of section eight (8) and inserting in lieu thereof a semi-colon (;) and adding the following: "provided, however, the court in his discretion may refuse to make such order in any case where the court finds the patient or his parent, parents or guardian are members of a religious denomination whose tenets preclude dependence on the practice of medicine or surgery and desire in good faith to rely upon the practice of their religion for relief from disease or disorder."

E. P. HEALY, *Chairman.*

Report 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. 263, a bill for an act to amend, revise, and codify the law relating to the state printing board and to the public reports of various public offices.

Also, that the Senate insists on its amendments to House File No. 276, a bill for an act to amend, revise, and codify chapter twenty-four-A (24-A) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theaters, moving picture shows, pool and billiard rooms or tables, dance halls, skating rinks, club houses, road houses, amusement parks or bowling alleys, and that the President has appointed as a conference committee on the part of the Senate, Senators Gilchrist, Buser, Caldwell and Haskell.

L. W. AINSWORTH, *Secretary.*

#### SENATE MESSAGE CONSIDERED

Senate File No. 263, a bill for an act to amend, revise, and codify sections one hundred one-a one (101-a1), two hundred forty-one-a four (241-a4), two hundred forty-one-a sixty-four-b (241-a64b), two hundred forty-one-a sixty-four-c (241-a64c), two hundred forty-one-a sixty-five (241-a65), and two hundred forty-one-a seventy-four (241-a74) of the supplement to the compiled code of Iowa, relating to the state printing board and to the public reports of various public offices.

Read first and second times and referred to committee on printing.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 276

As a conference committee on House File No. 276, the Speaker appointed the following members on the part of the House: Henderson of Hamilton, Carter of Hardin, Edson of Buena Vista and Vincent of Guthrie.

CONSIDERATION OF BILLS

House File No. 90, a bill for an act to amend, revise, and codify sections two thousand three hundred eighteen (2318) to two thousand three hundred twenty-six (2326), inclusive, two thousand three hundred twenty-nine (2329) to two thousand three hundred forty-four (2344), inclusive, two thousand three hundred forty-seven (2347), two thousand three hundred ninety-eight (2398) to two thousand four hundred fourteen (2414), inclusive, two thousand four hundred thirty-two (2432), two thousand four hundred thirty-six (2436), two thousand four hundred thirty-seven (2437), two thousand four hundred forty (2440) and two thousand four hundred forty-four (2444) of the compiled code of Iowa, and sections two thousand three hundred twenty-seven (2327) and two thousand three hundred twenty-eight (2328) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Clark of Linn the amendments proposed by the committee were adopted.

Venard of Sioux offered the following amendment and moved its adoption:

Amend House File No. 90, section ten (10), subsection six (6), line sixteen (16), by inserting before the word "acquire" the words "With the approval of the executive council,".

Amendment adopted.

SPECIAL ORDER NO. 1

Time having arrived for Special Order No. 1, House File No. 100, a bill for an act to amend, revise, and codify sections twenty-five hundred eight (2508), twenty-five hundred nine (2509), twenty-five hundred fifteen (2515) to twenty-five hundred seventeen (2517), inclusive, and twenty-five hundred

twenty-six (2526) to twenty-five hundred thirty-four (2534), inclusive, of the compiled code of Iowa, and sections twenty-five hundred twenty-four-a one (2524-a1) to twenty-five hundred twenty-four-a forty (2524-a40), inclusive, and twenty-five hundred twenty-five (2525) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up for further consideration.

On motion of Edson of Buena Vista the amendments proposed by the committee were adopted.

The following amendment, offered by Williams of Montgomery, was taken up and considered:

Amend section 4 of House File No. 100 by adding after the word and figures "twenty (20)" in line 4, the following: "of title ten (10)".

On motion of Mr. Williams the amendment was adopted.

The following amendment, filed by Children of Pottawattamie, was taken up and considered:

Amend House File No. 100 by inserting between the words "annually" and "out" in line one (1), section forty-six (46) thereof the words "for the biennium".

On motion of Mr. Children the amendment was adopted.

The following amendment, filed by Slemmons of Buchanan, was taken up for consideration:

Amend House File No. 100 by striking out section thirty-two (32) and substituting in lieu thereof the following:

Sec. 32. The expense of such election shall be borne by the consolidated district, in case such district shall be formed, otherwise by the separate districts in proportion to the assessed valuation thereof within the proposed consolidated district.

Mr. Slemmons offered the following amendment and moved that it be substituted for the amendment filed by him:

Amend House File No. 100 by striking out section thirty-two (32) and substituting in lieu thereof the following:

Sec. 32. If the district is established, it shall pay all expenses incurred by the superintendent and the board of education in connection with the proceedings, including the election of the first board of directors. If it is not established all expenses shall be apportioned among the several districts in proportion to the assessed valuation of the property therein.

If the proposed district embraces territory in more than one county such expenses shall be certified to and, if necessary, apportioned among the several districts by the joint board of education. If in only or

county the certification shall be made by the county superintendent.

The respective boards to which such expenses are certified shall audit and order the same to be paid from the general fund.

Motion prevailed and the substitution was made.

Mr. Slemmons moved that the substitute amendment be adopted.

Motion prevailed.

The following amendment, filed by Children of Pottawattamie, was taken up and considered:

Amend House File No. 100 by inserting after section forty-four (44) the following section:

Sec. 44-a1. No additional aid for normal course in high school.

No consolidated school having a high school department shall receive additional aid for maintaining the normal training course in high schools as provided in chapter five (5) of this title.

On motion of Mr. Children the amendment was adopted.

The following amendments filed by McClune of Mahaska were taken up and considered:

Amend House File No. 100 as follows:

Amend section one (1) by changing the period after the word "Iowa" in line fourteen (14) to a semi-colon (;) and by adding the words "or community high school district of (some appropriate name or number) in the county of (naming county), state of Iowa."

Amend section forty-five (45) by striking out the word "consolidated" in the first line, also the words "and of each"; and out of the second line the words "school township".

Amend section forty-six (46) of the bill by striking out of line four (4) thereof the word "consolidated" and inserting in lieu thereof the word "central".

Amend the bill by adding thereto the following sections:

"Sec. 49. Community high school districts.

Community high school districts may be organized to comprise contiguous territory of any number of rural independent districts not fewer than four (4), by proceeding as provided in sections sixteen (16) to twenty-five (25), inclusive, and sections twenty-nine (29) to thirty-two (32), inclusive, of this chapter except

1. That a separate election on the proposition shall be called and conducted on the same day and during the same hours in each rural independent and each sub-district proposed to be included.

2. That judges of election shall be appointed for each of such sub-districts and independent district proposed to be included.

Sec. 50. When established—laws applicable.

If in each of the subdistricts and independent districts proposed to be included in the community high school district, the majority of the voters at such election shall vote in favor thereof, the said community high school district shall be deemed to have been established and the provisions of sections thirty-seven (37) and thirty-eight (38) and forty-four (44) and forty-seven (47), inclusive, of this chapter shall be applicable thereto.

Mr. McClune moved the adoption of the amendments.

A roll call was demanded.

On the question "Shall the amendments be adopted?"

The ayes were:

Children	Lake	Orr	Williams—13
Edge	Long	Rust	
Edson	McClune	Smith of Lucas	
Hansen	Oliver	Storey	

The nays were:

Aiken	Gesman	Lieberknecht	Schirmer
Anderson of	Gibson	Mathews	Schulte
Webster	Gilbert	Matthiesen	Scott of
Berry	Gilbertson	Miller	Appanoose
Blake	Gilmore	Napier	Scott of
Blume	Grimwood	Natvig	Fremont
Brady	Harrison	Noble	Slemmons
Carter	Hattendorf	Olson	Smith of
Colbert	Hauge	Ontjes	Chickasaw
Cole	Held	Parsons	Stock
Criswell	Hempel	Patterson	Stookesberry
Diltz	Henderson	Peterson	Strippel
Donhowe	Himebauch	Powers	Ulstad
Dooley	Hollis	Quirk	Venard
Doolittle	Johnson	Ramsey	Vincent
Dotts	King	Rassler	Wamstad
Forsling	Knutson	Rewoldt	Weber
Frahm	Leonard	Rhinehart	Wilson
Gallagher	Letts	Robson	Mr. Speaker—75
Garber of	Floyd Lichty	Sampson	

Absent or not voting:

Bradley	Elliott	Huff	Rankin
Brittain	Fackler	Lovrien	Rumley
Buffington	Garber of Adair	Moen	Saunders
Clark	Graham	O'Donnell	Wolfe
Dewar	Healy	Potts	Yenter—20

Amendments rejected.

Fackler of Adams offered the following amendment and moved its adoption:

Amend section forty-four (44) of House File No. 100, by striking out the word "central" in line one (1) and inserting in lieu thereof the word "consolidated", and by striking out the words and figures "more than sixteen (16)" in line one (1) and inserting in lieu thereof the words and figures "sixteen (16) or more".

Amendment adopted.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Saunders of Palo Alto for the remainder of the week, on request of Patterson of Kossuth.

Edson of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Garber of Floyd	Lichty	Rumley
Blume	Gesman	Lieberknecht	Rust
Bradley	Gilbert	Long	Sampson
Brady	Gilmore	Lovrien	Schirmer
Buffington	Graham	McClune	Schulte
Carter	Grimwood	Mathews	Scott of Fremont
Clark	Harrison	Matthiesen	Slemmons
Colbert	Hattendorf	Napier	Smith of Chickasaw
Cole	Hauge	Natvig	Stock
Criswell	Healy	Oliver	Storey
Dewar	Held	Ontjes	Strippel
Donhowe	Hempel	Parsons	Wamstad
Doolittle	Henderson	Patterson	Weber
Dotts	Himebauch	Peterson	Williams
Edge	Hollis	Potts	Wilson
Edson	Johnson	Powers	Mr. Speaker—75
Fackler	King	Quirk	
Forsling	Knutson	Ramsey	
Gallagher	Lake	Rhinehart	
	Letts	Robson	

The nays were:

Aiken	Gibson	Rassler	Ulstad
Berry	Leonard	Rewoldt	Venard
Blake	Miller	Scott of	Wolfe—20
Children	Noble	Appanoose	
Dooley	Olson	Smith of Lucas	
Frahm	Orr	Stookesberry	

Absent or not voting:

Brittain	Gilbertson	O'Donnell	Yenter—13
Diltz	Hansen	Rankin	
Elliott	Huff	Saunders	
Garber of Adair	Moen	Vincent	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House resumed consideration of House File No. 90.

Slemmons of Buchanan filed the following amendment:

Amend House File No. 90 by striking out subsection three (3) of section ten (10) and renumbering the remaining subsections.

Oliver of Monona filed the following amendment:

Amend section thirty (30) of House File No. 90 by inserting between the words "the" and "expenses" in line two (2) thereof, the words "actual necessary", also by inserting between the words "the" and "expenses" in line three (3) thereof, the words "actual necessary".

Clark of Linn moved that further action on House File No. 90 be deferred and that the bill be made a special order for Tuesday, January 15th, at 10:30 a. m.

Motion prevailed.

#### MOTION FOR SPECIAL COMMITTEE ON SENATE FILE NO. 7 CONSIDERED

Himebauch of Emmet called up the motion, filed on January 10th, to rerefer Senate File No. 7 to a special committee of nine to be appointed by the Speaker.

The question was put: "Shall Senate File No. 7 be rereferred to a special committee of nine to be appointed by the Speaker?"

Motion prevailed.

#### MOTION TO RECONSIDER CALLED UP

Forsling of Woodbury called up the motion filed on January 7th to reconsider the vote by which House File No. 213 passed the House.

Harrison of Pottawattamie moved that action on the motion to reconsider be deferred and that it be made a special order for Tuesday, January 15th, at 11:00 a. m.

Motion prevailed.

#### HOUSE CONCURRENT RESOLUTION WITHDRAWN

On request of Carter of Hardin, unanimous consent having been obtained, House Concurrent Resolution No. 6 was withdrawn from further consideration by the House.

Anderson of Webster moved that the House now adjourn until 3:30 p. m. today.

Motion prevailed and the House stood adjourned.

### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

### REPORTS OF COMMITTEES

Graham of Wapello, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections to whom was referred House File No. 32, a bill for an act to amend, revise, and codify chapter nineteen (19) of title four (4) of the compiled code of Iowa and of the supplement to said code, and sections two hundred forty-one-a thirty-six (241-a36) and two hundred forty-seven-a one (247-a1) of the supplement to said code, relating to the bonds of public 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.

S. L. GRAHAM, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on elections to whom was referred House File No. 24, a bill for an act to amend, revise, and codify chapter five (5) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the registration of voters, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

S. L. GRAHAM, *Chairman.*

Report adopted.

### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on January 11th, approved House File No. 282.

### COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor:

## STATE OF IOWA—EXECUTIVE DEPARTMENT

January 11, 1924.

*To the Senate and House of Representatives of the Fortieth General Assembly:*

On the 21st day of November, 1923 acting upon my own initiative, I appointed a voluntary Child Welfare Commission to investigate and return to the Governor and the General Assembly of the State:

(a) The reports and recommendations of like commissions in the 32 States in which they have been appointed since 1911, and the various statutes enacted pursuant to the recommendations of such Commissions in so far as pertinent to like problems arising within the State of Iowa.

(b) To examine the statutes of our own State and inquire into the best standards in the various States in the handling of problems affecting child life such as the following:

Children born out of wedlock.

The feeble-minded.

Child-helping, child-placing and child-caring institutions.

Adoption.

Delinquency, dependency, and neglect.

Juvenile courts.

Mothers' aid.

(c) To submit in the form of a printed report the recommendations of the Commission, based on its investigations and upon public hearings to be held throughout the State during the year, as to changes deemed wise in the laws of the State in relation to child problems.

The subjects to be considered by the Commission not only involve questions of vital import from a humane standpoint, but are far-reaching from an economic point of view, in the prevention of abuse of the agencies provided by the State for social and economic betterment. It is only in the light of experience of the various States that proper safeguards can be applied for the protection of society. I cannot but believe that a nominal sum expended in a study of the problems from both a humane and economic standpoint will be well spent.

The labor on the part of the Commission involved in the program outlined above is very great. It cannot be done in a hurry. It will require a year of hard and unremitting application. The members of the Commission serve, and are glad to serve, without compensation, but an executive secretary with stenographic assistance is imperative.

There is also the incidental necessity of stationery, postage, printing, actual traveling expenses, and the like. A careful estimate by the Commission of the amount necessary to cover its actual overhead for the year, confirmed by the experience of Commissions in other States, is \$5,000. The Commission is not a continuing one, and the outlay mentioned represents the total expense to the State. Although the Commission is but very recently organized, the members are convinced from their investigations thus far not only that the State's duty to its children should

prompt full provision for the work of the Commission, but that sound considerations of economy should impel action to the same end. The child is a special object of interest and concern to the State, by reason of the contribution to society which he is expected to make upon arriving at his maturity. I feel deeply that it is a paramount duty of the Commonwealth to assure that every dependent, neglected, delinquent or defective child is receiving such adequate care, protection and instruction as will permit his development into an intelligent and worthy American citizen.

I very earnestly recommend that the sum of \$5,000.00, or so much thereof as may be necessary, be appropriated to defray the actual expenses of the Commission aforesaid.

Respectfully submitted,

N. E. KENDALL,  
Governor.

#### CONSIDERATION OF BILLS

House File No. 8, a bill for an act to amend, revise, and codify subsection seven (7) of section one hundred eighteen (118), sections one hundred twenty-seven (127) to one hundred thirty-one (131), inclusive, one hundred thirty-three (133), one hundred thirty-four (134), one hundred thirty-six (136), two hundred seventy-four (274) and seven hundred twenty-five (725) of the compiled code of Iowa, and sections one hundred thirty-two (132) and one hundred thirty-five (135) of the supplement to said code, relating to certain duties of the auditor of state and to uniform system of accounts of public corporations and organizations, and to the examination of such accounts, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Potts of Lee the amendments proposed by the committee were adopted.

Mr. Potts moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Bradley	Cole	Doolittle
Webster	Brittain	Criswell	Dotts
Berry	Carter	Diltz	Fackler
Blake	Children	Donhowe	Forsling
Blume	Colbert	Dooley	Frahm

Gallagher	Hollis	Patterson	Slemmons
Garber of Floyd	Johnson	Peterson	Smith of
Gesman	Leonard	Potts	Chickasaw
Gibson	Letts	Powers	Smith of Lucas
Gilbert	Lichty	Quirk	Stock
Gilbertson	Lieberknecht	Ramsey	Stookesberry
Gilmore	Long	Rankin	Storey
Graham	McClune	Rassler	Strippel
Grimwood	Mathews	Rewoldt	Ulstad
Hansen	Matthiesen	Rhinehart	Venard
Harrison	Miller	Robson	Vincent
Hattendorf	Napier	Rust	Wamstad
Hauge	Natvig	Sampson	Weber
Healy	Noble	Schirmer	Wilson
Held	Oliver	Schulte	Wolfe
Hempel	Olson	Scott of	Mr. Speaker—87
Henderson	Ontjes	Appanoose	
Himebauch	Parsons	Scott of Fremont	

The nays were, none.

Absent or not voting:

Aiken	Edson	Lake	Saunders
Brady	Elliott	Lovrien	Williams
Buffington	Garber of Adair	Moen	Yenter—21
Clark	Huff	O'Donnell	
Dewar	King	Orr	
Edge	Knutson	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 264, a bill for an act to amend, revise, and codify section thirty-two hundred thirty-one-a nine (3231-a9) of the supplement to the compiled code of Iowa, relating to compensation of county attorney, with report of committee recommending passage, was taken up for consideration.

Olson of Clinton offered the following amendment and moved its adoption:

Amend House File No. 264 by adding at the end thereof as section two (2) the following:

Sec. 2. 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 the Des Moines Capital, newspapers published in Des Moines, Iowa.

Amendment adopted.

Slemmons of Buchanan moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gilbertson	Napier	Scott of
Webster	Gilmore	Natvig	Appanoose
Berry	Graham	Noble	Scott of Fremont
Blake	Grimwood	Oliver	Slemmons
Blume	Hansen	Olson	Smith of
Brittain	Harrison	Orr	Chickasaw
Carter	Hattendorf	Parsons	Smith of Lucas
Colbert	Healy	Patterson	Stock
Criswell	Held	Peterson	Stookesberry
Diltz	Hempel	Potts	Storey
Donhowe	Henderson	Powers	Strippel
Dooley	Himebauch	Quirk	Ulstad
Doolittle	Hollis	Ramsey	Venard
Dotts	Johnson	Rankin	Vincent
Fackler	Leonard	Rassler	Wamstad
Forsling	Letts	Rewoldt	Weber
Frahm	Lieberknecht	Rhinehart	Wilson
Gallagher	Long	Robson	Wolfe
Garber of Floyd	McClune	Rust	Mr. Speaker—82
Gesman	Mathews	Sampson	
Gibson	Matthiesen	Schirmer	
Gilbert	Miller	Schulte	

The nays were:

Children Hauge—2

Absent or not voting:

Aiken	Dewar	King	O'Donnell
Bradley	Edge	Knutson	Ontjes
Brady	Edson	Lake	Rumley
Buffington	Elliott	Lichty	Saunders
Clark	Garber of Adair	Lovrien	Williams
Cole	Huff	Moen	Yenter—24

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 167, a bill for an act to amend, revise, and codify sections three thousand seven hundred seventy-nine (3779) to three thousand seven hundred eighty-one (3781), inclusive, of the compiled code of Iowa, relating to municipal corporations, with report of committee recommending passage, was taken up for consideration.

Forsling of Woodbury moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Blake	Carter	Criswell
Anderson of	Blume	Children	Diltz
Webster	Bradley	Colbert	Donhowe
Berry	Brittain	Cole	Dooley

Doolittle	Held	Olson	Scott of
Dotts	Hempel	Ontjes	Appanoose
Fackler	Henderson	Orr	Scott of Fremont
Forsling	Himebauch	Parsons	Slemmons
Frahm	Hollis	Patterson	Smith of
Gallagher	Johnson	Peterson	Chickasaw
Garber of Floyd	King	Potts	Smith of Lucas
Gesman	Leonard	Powers	Stock
Gibson	Letts	Quirk	Stookesberry
Gilbert	Lieberknecht	Ramsey	Storey
Gilbertson	Long	Rankin	Strippel
Gilmore	McClune	Rassler	Ulstad
Graham	Mathews	Rewoldt	Venard
Grimwood	Matthiesen	Rhinehart	Wamstad
Harrison	Napier	Robson	Weber
Hattendorf	Natvig	Sampson	Wilson
Hauge	Noble	Schirmer	Wolfe
Healy	Oliver	Schulte	Mr. Speaker—85

The nays were, none.

Absent or not voting:

Brady	Elliott	Lichty	Rust
Buffington	Garber of Adair	Lovrien	Saunders
Clark	Hansen	Miller	Vincent
Dewar	Huff	Moen	Williams
Edge	Knutson	O'Donnell	Yenter—23
Edson	Lake	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 208, a bill for an act to amend, revise, and codify sections five thousand seven hundred forty-one (5741), five thousand seven hundred forty-two (5742), five thousand seven hundred forty-nine (5749) and fifty-seven hundred fifty-two (5752) of the compiled code of Iowa, and section five thousand seven hundred forty-four (5744) of the supplement to said code, relating to the banking department, with report of committee recommending amendment and passage, was taken up for consideration.

The following amendments filed by Ontjes of Grundy to the committee amendments were taken up and considered:

Amend the committee amendments to House File No. 208, section five (5), second paragraph, as found on page 254 of the House Journal of January 7th, by inserting after the word "appoint" in the second line of said paragraph, the following: "for a term not to exceed one (1) year,".

Also further amend said second paragraph of section five (5), as found in the House Journal of January 7th, by inserting after the word "law" and preceding the period in line seven (7), the following: "for said department".

Also amend the committee amendments by striking out all of section seven (7), and by renumbering section eight (8) as section seven (7).

On motion of Mr. Ontjes the amendments to the committee amendments were adopted.

On motion of Hauge of Polk the committee amendments, as amended, were adopted.

Mr. Hauge moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gibson	McClune	Schulte
Anderson of	Gilbert	Mathews	Scott of
Webster	Gilbertson	Matthiesen	Appanoose
Berry	Gilmore	Miller	Scott of Fremont
Blume	Graham	Napier	Slemmons
Bradley	Grimwood	Natvig	Smith of
Brady	Harrison	Oliver	Chickasaw
Brittain	Hattendorf	Olson	Smith of Lucas
Carter	Hauge	Ontjes	Stock
Children	Healy	Orr	Stookesberry
Colbert	Held	Parsons	Storey
Cole	Hempel	Patterson	Strippel
Criswell	Henderson	Peterson	Ulstad
Donhowe	Himebauch	Potts	Venard
Dooley	Hollis	Powers	Vincent
Doolittle	Johnson	Quirk	Weber
Dotts	King	Rankin	Williams
Fackler	Leonard	Rassler	Wilson
Forsling	Letts	Rewoldt	Wolfe
Frahm	Lichty	Rhinehart	Mr. Speaker—86
Gallagher	Lieberknecht	Robson	
Garber of Floyd	Long	Sampson	
Gesman	Lovrien	Schirmer	

The nays were:

Blake—1

Absent or not voting:

Buffington	Elliott	Moen	Saunders
Clark	Garber of Adair	Noble	Wamstad
Dewar	Hansen	O'Donnell	Yenter—21
Diltz	Huff	Ramsey	
Edge	Knutson	Rumley	
Edson	Lake	Rust	

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

On motion of Hempel of Clayton the House adjourned until 9:30 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 12, 1924.

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

Prayer was offered by the Rev. E. S. MacCartney, pastor of the M. E. church, Adair, Iowa.

Journal of January 11th corrected and approved.

## PETITION

Blake of Fayette presented a petition from W. C. T. U., Buchanan and Fayette counties, favoring the passage of a law making the reading of the Bible in public schools compulsory.

Referred to committee on schools and textbooks.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Lovrien of Humboldt for the day, on request of Rankin of Lee; Hollis of Black Hawk for the day, on request of Lichty of Black Hawk; Wilson of Tama for the day, on request of Lieberknecht of Louisa; Edge of Jasper for the day, on request of Williams of Montgomery; Rust of Franklin for the day, on request of Grimwood of Jones; Edson of Buena Vista for the day, on request of Dotts of Wayne; O'Donnell of Dubuque for the day, on request of Weber of Dubuque; Garber of Adair for the day, on request of Vincent of Guthrie; Gallagher of Iowa for the day, on request of Weber of Dubuque; Clark of Linn for the day, on request of Doolittle of Delaware.

## REPORTS OF COMMITTEES

Clark of Linn from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 250, a bill for an act to amend, revise, and codify chapter one (1) of title thirty-four (34) of the compiled code of Iowa, relating to magistrates and peace 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 be amended as follows, and when so amended the bill do pass:

Amend by striking out the two lines following the enacting clause and inserting in lieu thereof the following:

"That sections ninety hundred fifty-one (9051) to ninety hundred fifty-four (9054), inclusive, and sections ninety hundred fifty-eight (9058) to ninety hundred sixty-two (9062), inclusive, of the compiled code of Iowa, are amended, revised, and codified to read as follows:"

Amend section 6 by inserting after the word "actual" in line 2 thereof, the words "and necessary".

Amend section 9 by striking out of line 2 thereof the words "county attorney or".

Amend the title of said bill so that said title shall read as follows:

"A bill for an act to amend, revise, and codify sections ninety hundred fifty-one (9051) to ninety hundred fifty-four (9054), inclusive, and sections ninety hundred fifty-eight (9058) to ninety hundred sixty-two (9062), inclusive, of the compiled code of Iowa, relative to magistrates and peace officers."

C. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 252, a bill for an act to amend, revise, and codify section ninety-five hundred sixty-two (9562) of the compiled code of Iowa, relating to appeals in criminal cases, beg leave to report they have had 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. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 4, a bill for an act to amend, revise, and codify section fifty-three (53) of the compiled code of Iowa, relating to copies of laws taking effect by publication, beg leave to report they have had 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. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 273, a bill for an act to amend, revise, and codify section eighty-one hundred sixty-eight (8168) of the compiled code of Iowa, relating to the release of common law or statutory liens on personal 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, and when so amended the bill do pass:

Amend section 4 by striking out of lines 2 and 3 the words: "the owner of the property resides; when the said owner is a nonresident of this state, the action shall be brought in the county where".

C. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 267, a bill for an act to repeal paragraphs twenty-three (23) and twenty-four (24) of section sixty-nine hundred eighty-two (6982) of the supplement to the compiled code of Iowa, relating to the fees chargeable 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 amended as follows, and when so amended the bill do pass:

Amend the title by striking out the period (.) at the end, and inserting a comma (,) and the following: "and to enact a substitute in lieu thereof".

C. F. CLARK, *Chairman*.

Report adopted.

Brady of O'Brien, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture to whom was referred House File No. 66, a bill for an act to amend, revise, and codify chapters three (3), five (5), and nine (9), of title eight (8), and sections sixteen hundred fourteen (1614) to sixteen hundred sixteen (1616), inclusive, sixteen hundred eighteen (1618) to sixteen hundred twenty-one (1621), inclusive, sixteen hundred twenty-three (1623) to sixteen hundred twenty-five (1625), inclusive, sixteen hundred twenty-eight (1628), sixteen hundred thirty (1630), sixteen hundred thirty-one (1631), and sixteen hundred thirty-eight (1638) to sixteen hundred forty-four (1644), inclusive, of the compiled code of Iowa, and chapters six (6), seven (7), and eight (8) of title eight (8), of the compiled code of Iowa and the supplement to said code, and chapter ten (10) of title eight (8) and sections sixteen hundred twenty-two (1622), sixteen hundred thirty-one-a nine (1631-a9), sixteen hundred thirty-six-a one (1636-a1) to sixteen hundred thirty-six-a eight (1636-a8), inclusive, and sixteen hundred thirty-seven (1637), of the supplement to said code, relating to state fair and agricultural organizations receiving state aid, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

1. Amend section 8, lines 2 and 3, by striking out the words "traveling and hotel".

2. Amend section 10 by striking out all of said section after the word "fix" in line 2 and inserting a period thereafter.

3. Amend section 12, line 3, by striking out the words "traveling, hotel, and other".

4. Amend section 19, line 3, by inserting after the word "annually" the following: "for the biennium ending July first, nineteen hundred twenty-five (1925)".

5. Amend by adding after section 20-a1 the following section:  
"Sec. 20-a2. Annual report to governor.

The state fair board shall each year at the time provided by law make a report to the governor containing:

1. A complete account of the annual state fair and exposition.
2. The proceedings of the annual state agricultural convention.
3. The proceedings of the annual county and district fair managers' convention."

6. Amend section 27, line 4, by striking out the word "every" and inserting in lieu thereof the word "each".

7. Amend section 40, lines 4 and 5, by striking out after the word "amount" the following: ", however,".

8. Amend section 44, line 1, by inserting after the word "annually" the following: "for the biennium ending July first, nineteen hundred twenty-five (1925)".

9. Amend section 45, line 1, by striking out the words "what is known as".

10. Amend section 47, line 5, by striking out the word and figure "one (1)".

11. Amend section 48, line 1, by inserting after the word "annually" the following: "for the biennium ending July first, nineteen hundred twenty-five (1925)".

12. Amend section 55, lines 9 and 10, by striking out the word and figure "one (1)"; also by striking out of line 10 the following: "however,".

13. Amend section 56, line 2, by striking out the words "so as".

14. Amend section 59, line 3, by striking out the words "in any case".

15. Amend section 65, lines 8 and 9, by striking out all after the word "growing" and inserting a period thereafter. Also amend section 65 by adding the following as subsection 9:

"Make an annual report of the proceedings and expenditures to the secretary of agriculture."

16. Amend section 67, line 5, by striking out the word "actual" and inserting in lieu thereof the word "necessary".

17. Amend section 69, line 1, by striking out the word "biennially" and inserting in lieu thereof the following: "for the biennium ending July first, nineteen hundred twenty-five (1925)".

18. Amend section 71 by adding thereto as subsection 5 the following:  
"Make an annual report of the proceedings and expenditures to the secretary of agriculture"

19. Amend section 73, line 6, by striking out the word "actual" and inserting in lieu thereof the word "necessary".

20. Amend section 75, line 1, by striking out the word "biennially" and inserting in lieu thereof the following: "for the biennium ending July first, nineteen hundred twenty-five (1925)".

21. Amend section 77 by adding thereto as subsection 7 the following: "Make an annual report of the proceedings and expenditures to the secretary of agriculture."

22. Amend section 79, line 6, by striking out the word "actual" and inserting in lieu thereof the word "necessary".

23. Amend section 81, line 1, by striking out the word "biennially" and inserting in lieu thereof the following: "for the biennium ending July first, nineteen hundred twenty-five (1925)".

24. Amend section 86, line 1, by inserting after the word "annually" the following: "for the biennium ending July first, nineteen hundred twenty-five (1925)".

25. Amend section 88, line 7, by striking out the word "preside" and inserting in lieu thereof the word "officiate".

26. Amend section 92, line 1, by striking out the word "annually" and inserting in lieu thereof the following: "for the biennium ending July first, nineteen hundred twenty-five (1925)".

27. Amend section 95, line 4, by striking out the word "annual"; also by striking out the words "an itemized" and inserting in lieu thereof the words "a summarized".

28. Amend section 96, line 1, by inserting after the word "annually" the following: "for the biennium ending July first, nineteen hundred twenty-five (1925)".

29. Amend section 97, line 1, by striking out the word "biennially" and inserting in lieu thereof the following: "for the biennium ending July first, nineteen hundred twenty-five (1925)".

30. Amend section 98 by striking out all of lines 1 to 5, inclusive, and inserting in lieu thereof the following:

"The auditor of state shall, on the order of the executive committee of the society, signed by the president and secretary thereof, draw warrants on the appropriations provided for in the two preceding sections in such amounts and at such times as the executive committee shall deem necessary. Claims payable out of such appropriations shall be approved by the president and the secretary of the society and by the department of agriculture."

A. V. BRADY, *Chairman.*

Report adopted.

#### CONSIDERATION OF BILL

House File No. 212, a bill for an act to amend, revise, and codify chapter seven (7) of title twenty-one (21) and chapters one (1) to

six (6), inclusive, of title twenty-four (24) of the compiled code of Iowa and of the supplement to said code, relating to certain special liens, with report of committee recommending amendment and passage, was taken up and considered.

Hauge of Polk moved that further action on House File No. 212 be deferred until Wednesday, January 16th.

Motion prevailed.

#### HOUSE CONCURRENT RESOLUTION NO. 7

Vincent of Guthrie offered the following concurrent resolution:

*Whereas*, The Honorable Wm. A. Hough, chairman of the Indiana Tax Board, is to be in Des Moines on January 15th; therefore,

*Be It Resolved by the House, the Senate concurring*, that Judge Hough be invited to address the members of the General Assembly at 3:30 P. M. on Tuesday, January 15th.

Laid over under rule 34.

#### APPOINTMENT OF SPECIAL COMMITTEE FOR SENATE FILE NO. 7

As a special committee on Senate File No. 7, the Speaker appointed the following members:

Moen of Lyon, Harrison of Pottawattamie, Brady of O'Brien, Lovrien of Humboldt, Miller of Shelby, Hauge of Polk, Garber of Floyd, Carter of Hardin and Rassler of Pocahontas.

#### AMENDMENTS FILED

Gilbert of Marshall filed the following amendment to the committee amendments to House File No. 40:

Amend the committee amendment by striking out lines three (3) and four (4) of said amendment and inserting in lieu thereof the following:

Amend section four (4) by striking out of lines two (2) and three (3) the words "board of education and board of control of state institutions" and inserting in lieu thereof "fair board".

Diltz of Polk filed the following amendment to the committee amendments to Senate File No. 241:

Amend the committee amendments to Senate File No. 241 as follows:

Amend line 1 of section 4 by inserting at the beginning of said line the words "Unless otherwise agreed in writing".

On motion of Gilbertson of Winneshiek the House adjourned until 10:00 a. m. Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 14, 1924.

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

Prayer was offered by Hon. Oley Nelson, of Slater, Iowa.

Journal of January 12th corrected and approved.

## PETITIONS

Doolittle of Delaware presented a resolution from members of the W. C. T. U., Dubuque and Delaware counties, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Rust of Franklin for the day, on request of Grimwood of Jones; Edson of Buena Vista for the day, on request of Dotts of Wayne; Matthiesen of Clinton for the day, on request of Frahm of Carroll; Sampson of Audubon indefinitely, on request of Strippel of Benton; Stock of Allamakee for the day, on request of Strippel of Benton; Clark of Linn for the day, on request of Doolittle of Delaware; Gesman of Marion for the day, on request of Hauge of Polk; Bradley of Poweshiek for the day, on request of Long of Jefferson; Ontjes of Grundy for the day, on request of Lieberknecht of Louisa; Ramsey of Butler for the day, on request of Blake of Fayette.

## REPORTS OF COMMITTEES

Gibson of Clarke, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred Senate File No. 19, a bill for an act to amend, revise and codify sections thirty-three hundred forty-eight (3348) to thirty-three hundred fifty-one (3351), inclusive, thirty-three hundred fifty-three (3353), thirty-seven hundred sixty-five (3765), thirty-seven hundred sixty-eight (3768), and thirty-seven hundred seventy (3770) of the compiled code of Iowa, and sections thirty-three hundred fifty-two (3352), thirty-seven

hundred sixty-seven (3767), and thirty-seven hundred sixty-nine (3769) of the supplement to said code, relating to memorial halls and monuments for soldiers, sailors, and marines, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

D. M. GIBSON, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 130, a bill for an act to amend, revise, and codify section thirty-one hundred thirty-one (3131) of the compiled code of Iowa, and sections thirty-one hundred thirty (3130) and thirty-two hundred forty-one-a three (3241-a3) of the supplement to said code, relating to the powers and duties of boards 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.

D. M. GIBSON, *Chairman.*

Report adopted.

Carter of Hardin, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred House File No. 86, a bill for an act to amend, revise, and codify sections twenty-two hundred sixty-five (2265) to twenty-two hundred seventy (2270), inclusive, section twenty-two hundred seventy-two (2272) and sections twenty-two hundred seventy-four (2274) to twenty-two hundred seventy-six (2276), inclusive, of the compiled code of Iowa, and sections twenty-five hundred fifty-eight-a three (2558-a3) and twenty-two hundred seventy-seven (2277) of the supplement to said code, 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 as follows, and when so amended the bill do pass:

Amend section three (3) by striking from lines one (1) and two (2) the following: "secular education in private schools and over".

Amend section four (4), subsection nine (9), by striking from the first line of said subsection the words "Inspect and". Also further amend said subsection nine (9) by inserting after the word "such" in the second line thereof the word "secular". Also further amend said subsection nine (9) by striking out the words "in his judgment" in the second line of said subsection.

Amend section six (6), line three (3), by inserting after the word "annually" the following: "for the biennium ending July first, nineteen hundred twenty-five (1925)".

Amend section eight (8), line six (6), by striking out the words "and private".

L. V. CARTER, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred House File No. 108, a bill for an act to amend, revise, and codify sections two thousand six hundred thirty-five (2635) to two thousand six hundred thirty-eight (2638), inclusive, of the compiled code of Iowa, 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 do pass.

L. V. CARTER, *Chairman*.

Report 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. 280, a bill for an act to amend, revise, and codify section eight hundred twenty (8020) of the compiled code of Iowa, relating to garnishment.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 278, a bill for an act to amend, revise, and codify section nine thousand and one (9001) of the compiled code of Iowa, relating to escapes.

Also, that the Senate has concurred in the House amendment to Senate File No. 245, a bill for an act to amend, revise, and codify sections eight thousand four hundred seventy-eight (8478) and eight thousand four hundred seventy-nine (8479) of the compiled code of Iowa, relating to the clerk of the supreme court.

Also, that the Senate has concurred in the House amendments to Senate File No. 163, a bill for an act to amend, revise, and codify sections thirty-seven hundred thirty-eight (3738) and thirty-seven hundred thirty-nine (3739) of the compiled code of Iowa, and sections thirty-seven hundred thirty-four (3734) and thirty-seven hundred thirty-seven-a1 (3737-a1) of the supplement to said code, relating to municipal corporations.

Also, that the Senate has adopted the following resolution, in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 10, resolution to invite Judge Hough, chairman of the Indiana Tax Board to address the members of the General Assembly at 3:30 p. m. on Tuesday, January 15th.

L. W. AINSWORTH, *Secretary*.

## HOUSE CONCURRENT RESOLUTION NO. 7 CONSIDERED

Vincent of Guthrie called up House Concurrent Resolution No. 7, extending an invitation to Judge William A. Hough of the Indiana tax commission, to address the House and the Senate in joint session on Tuesday, January 15th, at 3:30 p. m.

By unanimous consent, Senate Concurrent Resolution No. 10, a companion resolution, was substituted for House Concurrent Resolution No. 7.

## SENATE CONCURRENT RESOLUTION NO. 10

*Whereas*, The Honorable Wm. A. Hough, chairman of the Indiana Tax Board, is to be in Des Moines on January 15th; therefore,

*Be It Resolved by the Senate, the House concurring*, that Judge Hough be invited to address the members of the General Assembly at 3:30 P. M. Tuesday, January 15th.

Mr. Vincent moved that the House concur in the Senate concurrent resolution.

Slemmons of Buchanan moved the previous question.

Motion prevailed.

Lovrien of Humboldt asked unanimous consent to make an explanation of the existing situation concerning the proposed revision of the tax laws.

Objection was made by Slemmons of Buchanan.

Hauge of Polk moved that the rule be suspended, and that the gentleman from Humboldt, Mr. Lovrien, be given an opportunity to speak.

The motion having received a two-thirds majority, the rule was suspended.

Lovrien of Humboldt then spoke on the question.

By unanimous consent, Parsons of Calhoun spoke on the question.

On the question "Shall the House concur in Senate Concurrent Resolution No. 10?" a roll call was demanded.

Rule 18 was invoked.

## The ayes were:

Blake	Garber of Floyd	Letts	Rumley
Brady	Gibson	Lichty	Saunders
Brittain	Gilbert	Lieberknecht	Schirmer
Buffington	Gilmore	Long	Schulte
Carter	Graham	Lovrien	Scott of Fremont
Colbert	Grimwood	Mathews	Smith of
Cole	Hansen	Moen	Chickasaw
Criswell	Harrison	Natvig	Storey
Dewar	Hauge	O'Donnell	Strippel
Diltz	Healy	Oliver	Venard
Donhowe	Held	Patterson	Vincent
Doolittle	Henderson	Peterson	Wamstad
Edge	Himebauch	Potts	Weber
Elliott	Hollis	Powers	Williams
Fackler	Johnson	Quirk	Wilson
Forsling	King	Rankin	Wolfe
Gallagher	Knutson	Rhinehart	Yenter
Garber of Adair	Lake	Robson	Mr. Speaker—71

## The nays were:

Aiken	Dotts	Miller	Scott of
Anderson of	Frahm	Napier	Appanoose
Webster	Gilbertson	Noble	Slemmons
Berry	Hattendorf	Orr	Smith of Lucas
Blume	Hempel	Parsons	Stookesberry
Children	Huff	Rassler	Ulstaad—25
Dooley	Leonard	Rewoldt	

## Absent or not voting:

Bradley	Gesman	Olson	Rust
Clark	McClune	Ontjes	Sampson
Edson	Matthiesen	Ramsey	Stock—12

The House concurred in Senate Concurrent Resolution No. 10.

## 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 to amend, revise, and codify sections three thousand four hundred seventy-one (3471) to three thousand four hundred seventy-three (3473), inclusive, three thousand four hundred seventy-nine (3479) to three thousand four hundred eighty-one (3481), inclusive, thirty-four hundred eighty-four (3484), three thousand four hundred eighty-eight (3488), three thousand four hundred ninety-seven (3497), three thousand five hundred four (3504), and three thousand five hundred nineteen (3519) of the compiled code of Iowa, relating to municipal corporations.

Also, 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 to amend, revise, and codify chapter fourteen (14) of title eleven (11) of the compiled code of Iowa, relating to road improvement associations.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 125, a bill for an act to amend, revise, and codify chapter eleven (11) of title eleven (11) of the compiled code of Iowa, and of the supplement to said code, relating to the destruction of weeds on private lands and public highways.

Also, 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 to amend, revise, and codify sections forty-nine hundred fifty-nine (4959) to forty-nine hundred sixty-one (4961), inclusive, forty-nine hundred sixty-three (4963) to forty-nine hundred sixty-five (4965), inclusive, forty-nine hundred sixty-seven (4967), forty-nine hundred sixty-eight (4968), forty-nine hundred seventy-one (4971) to forty-nine hundred seventy-five (4975), inclusive, forty-nine hundred seventy-seven (4977) to forty-nine hundred eighty-one (4981), inclusive, forty-nine hundred eighty-three (4983) to fifty hundred one (5001), inclusive, fifty hundred eight (5008), and fifty hundred eleven (5011) of the compiled code of Iowa and sections forty-nine hundred fifty-nine-a one (4959-a1), forty-nine hundred sixty-eight-a one (4968-a1), and forty-nine hundred seventy-a one (4970-a1) of the supplement to said code, relating to the condemnation of private property for works of internal improvement and for other public uses and purposes.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 109, a bill for an act to amend, revise, and codify sections two thousand six hundred forty-one (2641), two thousand six hundred forty-three (2643), and two thousand six hundred forty-six (2646) to two thousand six hundred forty-eight (2648), inclusive, of the compiled code of Iowa, and sections two thousand six hundred thirty-nine (2639), two thousand six hundred forty (2640), and two thousand six hundred forty-two (2642) of the supplement to said code, relating to education.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 23, a bill for an act to amend, revise, and codify chapter four (4) of title four (4) of the compiled code of Iowa, relating to the nomination and election of judges of the supreme, district, and superior courts.

Also, 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 amend, revise, and codify sections seven thousand two hundred three (7203), seven thousand two hundred eight (7208), seven thousand two hundred nine (7209), seven thousand two hundred twelve (7212), seven thousand two hundred eighteen (7218), and seven thousand two hundred twenty-two (7222) of the compiled code of Iowa, relating to pleadings.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 122, a bill for an act to amend, revise, and codify chapter eight (8) of title eleven (11) of the compiled code of Iowa, relating to the patrolling of public highways.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 258, a bill for an act to amend, revise, and codify sections forty-two hundred nineteen (4219), forty-two hundred nineteen-a one (4219-a1), and forty-two hundred twenty-four (4224) of the supplement to the compiled code of Iowa, relating to the nomination and election of officers, employees, and assistants in cities acting under the commission form of government.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 138, a bill for an act to amend, revise, and codify chapter ten (10) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to the submission of questions to voters.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 104, a bill for an act to amend, revise, and codify sections two thousand five hundred ninety-seven (2597) to two thousand five hundred ninety-nine (2599), inclusive, and two thousand six hundred one (2601) of the compiled code of Iowa, relating to education.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 104

Amend section 2 by striking from lines 4 and 5 the words "in the corporation, male or female, of school age," and substituting the words, "of school age in the corporation, distinguishing the sexes,".

#### SENATE AMENDMENTS TO HOUSE FILE NO. 122

Amend by inserting after the word "responsible" in line two (2) of section four (4) the words "upon their bond".

#### SENATE AMENDMENTS TO HOUSE FILE NO. 258

Amend section 25, line 15 thereof, by striking out the word "or" and inserting the words "and are" in lieu thereof.

Amend by adding the following sections:

Sec. 30. The population in this act referred to shall be the population as shown by the last preceding state or national census excepting where such census of any such city shows a less population than at the time the voters of such city adopted the plan of government in this chapter provided for, in which case the population shown by the census immediately preceding such adoption shall govern.

Sec. 31. Publication clause. This act being deemed of immediate importance shall take effect and be in full force and effect from and after its publication in the Des Moines Capital and in the Des Moines Register, newspapers published in Des Moines, Iowa.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 138

Amend section 10 by striking from line 1 the following: ", and local regulations thus established,".

#### SENATE MESSAGES CONSIDERED

Senate File No. 153, a bill for an act to amend, revise, and codify sections three thousand four hundred seventy-one (3471) to three thousand four hundred seventy-three (3473), inclusive, three thousand four hundred seventy-nine (3479) to three thousand four hundred eighty-one (3481), inclusive, thirty-four hundred eighty-four (3484), three thousand four hundred eighty-eight (3488), three thousand four hundred ninety-seven (3497), three thousand five hundred four (3504), and three thousand five hundred nineteen (3519) of the compiled code of Iowa, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

Senate File No. 127, a bill for an act to amend, revise, and codify chapter fourteen (14) of title eleven (11) of the compiled code of Iowa, relating to road improvement associations.

Read first and second times and referred to committee on roads and highways.

Senate File No. 125, a bill for an act to amend, revise, and codify chapter eleven (11) of title eleven (11) of the compiled code of Iowa, and of the supplement to said code, relating to the destruction of weeds on private lands and public highways.

Read first and second times and referred to committee on roads and highways.

Senate File No. 229, a bill for an act to amend, revise, and codify sections seven thousand two hundred three (7203), seven thousand two hundred eight (7208), seven thousand two hundred nine (7209), seven thousand two hundred twelve (7212), seven thousand two hundred eighteen (7218), and seven thousand two hun-

dred twenty-two (7222) of the compiled code of Iowa, relating to pleadings.

Read first and second times and referred to committee on judiciary.

Senate File No. 187, a bill for an act to amend, revise, and codify sections forty-nine hundred fifty-nine (4959) to forty-nine hundred sixty-one (4961), inclusive, forty-nine hundred sixty-three (4963) to forty-nine hundred sixty-five (4965), inclusive, forty-nine hundred sixty-seven (4967), forty-nine hundred sixty-eight (4968), forty-nine hundred seventy-one (4971) to forty-nine hundred seventy-five (4975), inclusive, forty-nine hundred seventy-seven (4977) to forty-nine hundred eighty-one (4981), inclusive, forty-nine hundred eighty-three (4983) to fifty hundred one (5001), inclusive, fifty hundred eight (5008), and fifty hundred eleven (5011) of the compiled code of Iowa and sections forty-nine hundred fifty-nine-a one (4959-a1), forty-nine hundred sixty-eight-a one (4968-a1), and forty-nine hundred seventy-a one (4970-a1) of the supplement to said code, relating to the condemnation of private property for works of internal improvement and for other public uses and purposes.

Read first and second times and referred to committee on judiciary.

Senate File No. 109, a bill for an act to amend, revise, and codify sections two thousand six hundred forty-one (2641), two thousand six hundred forty-three (2643), and two thousand six hundred forty-six (2646) to two thousand six hundred forty-eight (2648), inclusive, of the compiled code of Iowa, and sections two thousand six hundred thirty-nine (2639), two thousand six hundred forty (2640), and two thousand six hundred forty-two (2642) of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

Senate File No. 23, a bill for an act to amend, revise, and codify chapter four (4) of title four (4) of the compiled code of Iowa, relating to the nomination and election of judges of the supreme, district, and superior courts.

Read first and second times and referred to committee on elections.

## CONSIDERATION OF BILLS

House File No. 40, a bill for an act to amend, revise, and codify sections seven hundred six (706), seven hundred seven (707), seven hundred ten (710), seven hundred sixteen (716), seven hundred seventeen (717), seven hundred nineteen (719) to seven hundred twenty-two (722), inclusive, of the compiled code of Iowa, relating to the deposit of public funds by officers, and to the salaries, fees, expenses, and expenditures of such officers, and to the publication and posting of legal notices, with report of committee recommending amendment and passage, was taken up for consideration.

The following amendment to the committee amendments, filed by Gilbert of Marshall, was taken up and considered:

Amend the committee amendment by striking out lines three (3) and four (4) of said amendment and inserting in lieu thereof the following:

Amend section four (4) by striking out of lines two (2) and three (3) the words "board of education and board of control of state institutions" and inserting in lieu thereof "fair board".

On motion of Gilbert of Marshall the amendment to the committee amendments was adopted.

On motion of Mr. Gilbert the committee amendments, as amended, were adopted.

Mr. Gilbert moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Dotts	Hattendorf	Lieberknecht
Webster	Edge	Hauge	Long
Berry	Elliott	Healy	Lovrien
Blake	Fackler	Held	Mathews
Blume	Forsling	Hempel	Miller
Brady	Frahm	Henderson	Moen
Brittain	Gallagher	Himebauch	Napier
Buffington	Garber of Adair	Hollis	Natvig
Children	Garber of Floyd	Huff	Noble
Cole	Gibson	Johnson	O'Donnell
Criswell	Gilbert	King	Oliver
Dewar	Gilbertson	Knutson	Orr
Diltz	Gilmore	Lake	Patterson
Donhowe	Graham	Leonard	Peterson
Dooley	Grimwood	Letts	Potts
Doolittle	Harrison	Lichty	Powers

Quirk	Schlrmer	Smith of Lucas	Williams
Rankin	Schulte	Stookesberry	Wilson
Rassler	Scott of	Storey	Wolfe
Rewoldt	Appanoose	Strippel	Yenter
Rhinehart	Scott of Fremont	Ulstad	Mr. Speaker—90
Robson	Slemmons	Venard	
Rumley	Smith of	Wamstad	
Saunders	Chickasaw	Weber	

The nays were:

Parsons—1

Absent or not voting:

Aiken	Edson	Matthiesen	Rust
Bradley	Gesman	Olson	Sampson
Carter	Hansen	Ontjes	Stock
Clark	McClune	Ramsey	Vincent—17
Colbert			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 241, a bill for an act to amend, revise, and codify sections eight thousand one hundred sixty (8160), eight thousand one hundred sixty-one (8161), eight thousand one hundred sixty-six (8166), and eight thousand one hundred seventy-eight (8178) of the compiled code of Iowa, relating to foreclosure and release of mortgages, and sales under pledge, with report of committee recommending amendment and passage, was taken up for consideration.

The following amendment filed by Diltz of Polk was taken up and considered:

Amend the committee amendments to Senate File No. 241 as follows:

Amend line one (1) of section four (4) by inserting at the beginning of said line the words: "Unless otherwise agreed in writing".

Mr. Diltz moved the adoption of the amendment to the committee amendments.

Amendment to the committee amendments adopted.

On motion of Mr. Diltz the committee amendments, as amended, were adopted.

Mr. Diltz moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Gibson	Lovrien	Schirmer
Anderson of	Gilbert	Mathews	Schulte
Webster	Gilbertson	Miller	Scott of
Berry	Gilmore	Napier	Appanoose
Blake	Graham	Natvig	Scott of Fremont
Blume	Grimwood	Noble	Slemmons
Brady	Hansen	O'Donnell	Smith of
Brittain	Harrison	Oliver	Chickasaw
Buffington	Hattendorf	Olson	Smith of Lucas
Children	Hauge	Orr	Stookesberry
Cole	Healy	Parsons	Storey
Criswell	Held	Patterson	Strippel
Dewar	Hempel	Peterson	Ulstad
Diltz	Henderson	Potts	Venard
Donhowe	Hollis	Powers	Vincent
Dooley	Huff	Quirk	Weber
Doolittle	Johnson	Rankin	Williams
Dotts	Knutson	Rassler	Wilson
Edge	Lake	Rewoldt	Wolfe
Elliott	Leonard	Rhinehart	Yenter
Fackler	Letts	Robson	Mr. Speaker—88
Forsling	Lichty	Saunders	
Frahm	Lieberknecht		
Gallagher	Long		

The nays were, none.

Absent or not voting:

Bradley	Garber of Adair	McClune	Rumley
Carter	Garber of Floyd	Matthiesen	Rust
Clark	Gesman	Moen	Sampson
Colbert	Himebauch	Ontjes	Stock
Edson	King	Ramsey	Wamstad—20

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 24, a bill for an act to amend, revise, and codify chapter five (5) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the registration of voters, with report of committee recommending passage, was taken up for consideration.

Robson of Greene offered the following amendments and moved their adoption:

Amend House File No. 24 by inserting after the figures "(6000)" in line three (3) of section one (1), the words "or more"; also by inserting after the words "disposed of" in line eight (8) of section twenty-two (22) the words "as provided by".

Amendments adopted.

Hollis of Black Hawk moved that the bill be read a third time

now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Garber of Adair	Lieberknecht	Rumley
Webster	Gibson	Long	Saunders
Berry	Gilbert	Mathews	Schirmer
Blake	Gilbertson	Miller	Schulte
Blume	Gillmore	Moen	Scott of
Brady	Graham	Napler	Appanoose
Brittain	Grimwood	Natvig	Scott of Fremont
Buffington	Hansen	Noble	Slemmons
Carter	Harrison	O'Donnell	Smith of
Children	Hattendorf	Oliver	Chickasaw
Colbert	Hauge	Olson	Smith of Lucas
Cole	Healy	Orr	Stookesberry
Criswell	Held	Parsons	Storey
Dewar	Hempel	Patterson	Strippel
Diltz	Henderson	Peterson	Ulstad
Dooley	Hollis	Potts	Venard
Doolittle	Huff	Powers	Wamstad
Dotts	Johnson	Quirk	Weber
Edge	King	Rankin	Williams
Elliott	Knutson	Rassler	Wilson
Fackler	Lake	Rewoldt	Wolfe
Forsling	Leonard	Rhinehart	Yenter
Frahm	Letts	Robson	Mr. Speaker—91
Gallagher	Lichty		

The nays were, none.

Absent or not voting:

Aiken	Garber of Floyd	McClune	Rust
Bradley	Gesman	Matthiesen	Sampson
Clark	Himebauch	Ontjes	Stock
Donhowe	Lovrien	Ramsey	Vincent—17
Edson			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 32, a bill for an act to amend, revise, and codify chapter nineteen (19) of title four (4) of the compiled code of Iowa and of the supplement to said code, and sections two hundred forty-one-a thirty-six (241-a36) and two hundred forty-seven-a one (247-a1) of the supplement to said code, relating to the bonds of public officers, with report of committee recommending passage, was taken up for consideration.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend House File No. 32, section 8, by adding after the word "annually" in line 2 thereof, the words "for the blennium ending July 1, 1925." Also by adding following said section and preceding the period (.) the following: "until July 1, 1925".

Amendment adopted.

Lake of Woodbury offered the following amendment and moved its adoption:

Amend paragraph 9, section 6, by striking out the words and figures "twenty-five thousand dollars (\$25,000.00)" and inserting in lieu thereof the words and figures "fifty thousand dollars (\$50,000.00)".

Amendment adopted.

Edge of Jasper moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gibson	Lieberknecht	Robson
Anderson of Webster	Gilbert	Long	Rumley
Berry	Gilbertson	Lovrien	Saunders
Blake	Gilmore	Mathews	Schirmer
Blume	Graham	Miller	Schulte
Brady	Grimwood	Moen	Scott of Appanoose
Brittain	Hansen	Napier	Scott of Fremont
Buffington	Harrison	Natvig	Slemmons
Carter	Hattendorf	Noble	Smith of Chickasaw
Children	Hauge	O'Donnell	Smith of Lucas
Colbert	Healy	Oliver	Stokesberry
Cole	Held	Olson	Storey
Criswell	Hempel	Orr	Strippel
Dewar	Henderson	Parsons	Ulstad
Dooley	Himebauch	Patterson	Venard
Doolittle	Hollis	Peterson	Wamstad
Dotts	Huff	Potts	Weber
Edge	Johnson	Powers	Williams
Elliott	King	Quirk	Wilson
Fackler	Knutson	Rankin	Yenter
Forsling	Lake	Rassler	Mr. Speaker—89
Garber of Adair	Letts	Rewoldt	
	Lichty	Rhinehart	

The nays were, none.

Absent or not voting:

Bradley	Frahm	McClune	Sampson
Clark	Gallagher	Matthiesen	Stock
Diltz	Garber of Floyd	Ontjes	Vincent
Donhowe	Gesman	Ramsey	Wolfe—19
Edson	Leonard	Rust	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## AMENDMENTS FILED

Wamstad of Mitchell filed the following amendments to the committee amendments to House File No. 92:

Amend the committee amendments to House File No. 92 by striking out that part of the committee amendments that applies to section eight (8) and substitute in lieu thereof the following:

Also amend section eight (8) by inserting after the word "shall" in line eight (8) the following: "with the consent of the said person, or parent or parents, guardian or other person having legal custody of said person, as the case may be,".

O'Donnell of Dubuque filed the following amendment to House File No. 250:

Amend House File No. 250 by adding thereto the following:

"Sec. 11. Duties of peace officers.

It is hereby made the duty of all regular peace officers of each county, to comply with the request of the county attorney, with respect to the securing of evidence in the prosecution of all indictable offenses, to notify the county attorney immediately when evidence in any case indicates that a felony has been committed, and to follow the direction of the county attorney in regard to the character of offense to be charged and the manner and method of prosecution."

Storey of Warren filed the following amendment to House File No. 250:

Amend section ten (10) of House File No. 250 by inserting after the word "annually" in the first line thereof, the words and figures: "until July first, nineteen hundred twenty-five (1925)".

Fackler of Adams filed the following amendment to the committee amendments to House File No. 250:

Amend the committee amendments to House File No. 250, by striking out the paragraph which seeks to amend section nine (9) and inserting in lieu thereof the following:

Amend section nine (9) by inserting after the word "attorney" in line two (2) thereof the words "of the proper county".

## OFFICIAL COMMUNICATION REFERRED TO COMMITTEE

The Speaker referred the communication from the Governor, received January 11th, recommending an appropriation to defray the expenses of the child welfare commission, to the committee on appropriations.

On motion of Children of Pottawattamie the House adjourned until 9:30 a. m. Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 15, 1924.

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

Prayer was offered by the Rev. William P. Webb, pastor of the M. E. church, Hinton, Iowa.

Journal of January 14th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Matthiesen of Clinton for the day, on request of Frahm of Carroll; Stock of Allamakee for the day, on request of Strippel of Benton.

## PETITIONS

Lieberknecht of Louisa presented a resolution from members of the W. C. T. U., Des Moines, Louisa, and Washington counties, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## COMMUNICATION FROM THE BOARD OF RAILROAD COMMISSIONERS

The following communication was received from the board of railroad commissioners:

Des Moines, Iowa. January 14, 1924.

To the Senate and House of Representatives:  
Gentlemen:

We desire to call your attention to some changes in the so-called motor bus law passed by the Fortieth General Assembly, that we think not only advisable but imperative.

There is no penalty attached to the present law, and hundreds of trucks especially, are disregarding it entirely, and the attorney general advises us that he knows of no way to enforce the act.

There are practically 2,000 oil trucks in the state, and these trucks operate irregularly, that is, they have no regular termini but go over one route one day and then some other route the next day, and it seems impossible to get reports through the differnt townships which they go. The Standard Oil people are endeavoring to comply with the law, but are unable to keep up with their reports. As near as we can estimate, the average tax based on present law, would be about \$25.00 per year on these oil trucks, and if a flat tax was placed upon them it would save a vast amount of clerical work for this office, as well as heavy expense.

Section 1-a is indefinite in describing the term "motor vehicle", and should be clarified. The commission should have the option of setting the place of hearing the same as they do in railroad cases, which would not only save time but expense.

There are several other amendments that we would like to discuss with your committee if they see fit to consider passing an amendment to this act at the present session.

Very truly yours,

F. P. WOODRUFF, *Chairman.*

DWIGHT LEWIS, *Commissioner.*

CHAS. WEBSTER, *Commissioner.*

The communication was read for the information of the House and referred to the committee on motor vehicles and transportation.

#### REPORT OF COMMITTEE

Doolittle of Delaware, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 268, a bill for an act to amend, revise, and codify sections seventy-three hundred thirty-two (7332) and seventy-three hundred thirty-three (7333) of the compiled code of Iowa, 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 amended as follows, and when so amended the bill do pass:

Amend by striking out all of section three (3).

CLYDE H. DOOLITTLE, *Acting chairman.*

Report adopted.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Carter of Harrison, unanimous consent having been given, House File No. 104, a bill for an act to amend, revise and codify sections two thousand five hundred ninety-seven (2597) to two thousand five hundred ninety-nine (2599), inclusive,

and two thousand six hundred one (2601) of the compiled code of Iowa, relating to education, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend section 2 by striking from lines 4 and 5 the words "in the corporation, male or female, of school age," and substituting the words, "of school age in the corporation, distinguishing the sexes,".

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Cesman	Lovrien	Rumley
Webster	Gibson	Mathews	Rust
Blake	Gilbertson	Miller	Saunders
Blume	Gilmore	Moen	Schirmer
Bradley	Grimwood	Napier	Schulte
Brady	Hattendorf	Natvig	Scott of
Buffington	Healy	Noble	Appanoose
Carter	Held	O'Donnell	Scott of Fremont
Clark	Hempel	Oliver	Slemmons
Colbert	Henderson	Olson	Smith of
Cole	Himebauch	Ontjes	Chickasaw
Criswell	Hollis	Orr	Smith of Lucas
Donhowe	Huff	Parsons	Stookesberry
Dooley	Johnson	Patterson	Venard
Doolittle	King	Peterson	Wamstad
Dotts	Knutson	Powers	Weber
Edge	Leonard	Quirk	Williams
Edson	Letts	Rankin	Wilson
Fackler	Lieberknecht	Rassler	Wolfe
Frahm	Long	Robson	Mr. Speaker—77

The nays were, none.

Absent or not voting:

Aiken	Gallagher	Lake	Sampson
Berry	Garber of Adair	Lichty	Stock
Brittain	Garber of Floyd	McClune	Storey
Children	Gilbert	Matthiesen	Strippel
Dewar	Graham	Potts	Ulstad
Diltz	Hansen	Ramsey	Vincent
Elliott	Harrison	Rewoldt	Yenter—31
Forsling	Hauge	Rhinehart	

The House concurred in the Senate amendments to House File No. 104.

On request of Himebauch of Emmet, unanimous consent having been given, House File No. 122, a bill for an act to amend, revise,

and codify chapter eight (8) of title eleven (11) of the compiled code of Iowa, relating to the patrolling of public highways, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend by inserting after the word "responsible" in line two (2) of section four (4) the words "upon their bond".

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

On the question "Shall the House concur?"

The ayes were:

Berry	Gilbertson	Mathews	Saunders
Blake	Gilmore	Moen	Schirmer
Blume	Grimwood	Napier	Schulte
Bradley	Hattendorf	Natvig	Scott of
Brady	Hauge	Noble	Appanoose
Buffington	Healy	O'Donnell	Scott of Fremont
Carter	Held	Olson	Slemmons
Clark	Hempel	Ontjes	Smith of
Colbert	Henderson	Orr	Chickasaw
Cole	Himebauch	Parsons	Smith of Lucas
Criswell	Hollis	Patterson	Stookesberry
Dewar	Huff	Peterson	Ulstad
Donhowe	Johnson	Powers	Venard
Dooley	King	Quirk	Weber
Doolittle	Knutson	Rankin	Wilson
Dotts	Leonard	Rassler	Wolfe
Edson	Letts	Rewoldt	Mr. Speaker—75
Fackler	Lieberknecht	Robson	
Gesman	Long	Rumley	
Gibson	Lovrien	Rust	

The nays were:

Miller—1

Absent or not voting:

Alken	Frahm	Lichty	Storey
Anderson of	Gallagher	McClune	Strippel
Webster	Garber of Adair	Matthiesen	Vincent
Brittain	Garber of Floyd	Oliver	Wamstad
Children	Gilbert	Potts	Williams
Dilts	Graham	Ramsey	Yenter—32
Edge	Hansen	Rhinehart	
Elliott	Harrison	Sampson	
Forsling	Lake	Stock	

The House concurred in the Senate amendments to House File No. 122.

On request of Hauge of Polk, unanimous consent having been given, House File No. 258, a bill for an act to amend, revise, and codify sections forty-two hundred nineteen (4219), forty-two hundred nineteen-a one (4219-a1), and forty-two hundred twenty-four (4224) of the supplement to the compiled code of Iowa, relating to the nomination and election of officers, employees, and assistants in cities acting under the commission form of government, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend section 25, line 15 thereof, by striking out the word "or" and inserting the words "and are" in lieu thereof.

Amend by adding the following sections:

Sec. 30. The population in this act referred to shall be the population as shown by the last preceding state or national census excepting where such census of any such city shows a less population than at the time the voters of such city adopted the plan of government in this chapter provided for, in which case the population shown by the census immediately preceding such adoption shall govern.

Sec. 31. Publication clause. This act being deemed of immediate importance shall take effect and be in full force and effect from and after its publication in the Des Moines Capital and in the Des Moines Register, newspapers published in Des Moines, Iowa.

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Gilbertson	Mathews	Saunders
Webster	Gilmore	Miller	Schirmer
Berry	Graham	Moen	Schulte
Blake	Grimwood	Napier	Scott of
Blume	Hattendorf	Natvig	Appanoose
Bradley	Hauge	Noble	Scott of Fremont
Brady	Healy	O'Donnell	Slemmons
Buffington	Held	Oliver	Smith of
Carter	Hempel	Olson	Chickasaw
Clark	Henderson	Ontjes	Smith of Lucas
Colbert	Hollis	Parsons	Stookesberry
Criswell	Huff	Patterson	Ulstad
Dewar	Johnson	Peterson	Venard
Dooley	King	Powers	Wamstad
Dotts	Knutson	Quirk	Weber
Edge	Leonard	Rankin	Wilson
Edson	Letts	Rassler	Wolfe
Frahm	Lichty	Rewoldt	Mr. Speaker—78
Gesman	Lieberknecht	Robson	
Gibson	Long	Rumley	
Gilbert	Lovrien	Rust	

The nays were, none.

Absent or not voting:

Aiken	Fackler	Lake	Stock
Brittain	Forsling	McClune	Storey
Children	Gallagher	Matthiesen	Strippel
Cole	Garber of Adair	Orr	Vincent
Diltz	Garber of Floyd	Potts	Williams
Donhowe	Hansen	Ramsey	Yenter—30
Doolittle	Harrison	Rhinehart	
Elliott	Himebauch	Sampson	

The House concurred in the Senate amendments to House File No. 258.

On request of Venard of Sioux, unanimous consent having been given, House File No. 138, a bill for an act to amend, revise, and codify chapter ten (10) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to the submission of questions to voters, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend section 10 by striking from line 1 the following: “, and local regulations thus established.”.

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

On the question “Shall the House concur?”

The ayes were:

Anderson of	Gilbert	Miller	Saunders
Webster	Gilmore	Moen	Schirmer
Berry	Graham	Napier	Schulte
Blume	Grimwood	Natvig	Scott of
Bradley	Hattendorf	Noble	Apaanose
Brady	Hauge	O'Donnell	Scott of Fremont
Buffington	Healy	Olson	Slemmons
Carter	Held	Ontjes	Smith of
Clark	Hempel	Orr	Chickasaw
Colbert	Henderson	Parsons	Smith of Lucas
Cole	Hollis	Patterson	Stookesberry
Criswell	King	Peterson	Strippel
Dewar	Knutson	Powers	Venard
Dooley	Leonard	Quirk	Weber
Dotts	Letts	Rankin	Williams
Edson	Lichty	Rewoldt	Wilson
Frahm	Long	Robson	Wolfe
Gesman	Lovrien	Rumley	Mr. Speaker—72
Gibson	Mathews	Rust	

The nays were, none.

Absent or not voting:

Aiken	Fackler	Huff	Rassler
Blake	Forsling	Johnson	Rhinehart
Brittain	Gallagher	Lake	Sampson
Children	Garber of Adair	Lieberknecht	Stock
Diltz	Garber of Floyd	McClune	Storey
Donhowe	Gilbertson	Matthiesen	Ulstad
Doolittle	Hansen	Oliver	Vincent
Edge	Harrison	Potts	Wamstad
Elliott	Himebauch	Ramsey	Yenter—36

The House concurred in the Senate amendments to House File No. 138.

#### CONSIDERATION OF BILLS

House File No. 92, a bill for an act to amend, revise, and codify chapters nine (9) and ten (10) of title ten (10) of the compiled code of Iowa, and section two thousand three hundred forty-eight-a one (2348-a1) of the supplement to said code, relating to medical and surgical treatment of indigent persons, with report of committee recommending amendment and passage, was taken up for consideration.

The following amendments to the committee amendments, filed by Wamstad of Mitchell, were taken up and considered:

Amend the committee amendments to House File No. 92 by striking out that part of the committee amendments that applies to section eight (8) and substitute in lieu thereof the following:

Also amend section eight (8) by inserting after the word "shall" in line eight (8) the following: "with the consent of the said person, or parent or parents, guardian or other person having legal custody of said person, as the case may be,".

Mr. Wamstad moved the adoption of the amendments.

Amendments rejected.

On motion of Healy of Hancock the amendments proposed by the committee and found in the Journal of January 11th were adopted.

Letts of Washington moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Anderson of Webster	Garber of Adair	Lieberknecht	Rumley
Berry	Garber of Floyd	Long	Rust
Blake	Gesman	Lovrien	Saunders
Blume	Gibson	Mathews	Schirmer
Bradley	Gilbert	Miller	Schulte
Brittain	Gilbertson	Moen	Scott of
Buffington	Gilmore	Napier	Appanoose
Carter	Grimwood	Natvig	Scott of Fremont
Children	Hansen	O'Donnell	Slemmons
Clark	Harrison	Oliver	Smith of
Colbert	Hattendorf	Olson	Chickasaw
Cole	Hauge	Ontjes	Smith of Lucas
Criswell	Healy	Orr	Stookesberry
Dewar	Held	Parsons	Storey
Dooley	Hempel	Patterson	Strippel
Doolittle	Henderson	Peterson	Venard
Dotts	Hollis	Potts	Vincent
Edge	Huff	Powers	Wamstad
Edson	Johnson	Quirk	Weber
Elliott	King	Rankin	Williams
Fackler	Knutson	Rassler	Wilson
Forsling	Lake	Rewoldt	Wolfe
Gallagher	Letts	Rhinehart	Mr. Speaker—92
	Lichty	Robson	

## The nays were:

## Aiken—1

## Absent or not voting:

Brady	Graham	Matthiesen	Stock
Diltz	Himebauch	Noble	Ulstad
Donhowe	Leonard	Ramsey	Yenter—15
Frahm	McClune	Sampson	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## SPECIAL ORDER NO. 1

The hour having arrived for Special Order No. 1, House File No. 90 was taken up for consideration.

On request of Children of Pottawattamie, unanimous consent having been obtained, action on the bill was deferred and it was made a special order for Tuesday, January 22d at 10:30 a. m.

House File No. 4, a bill for an act to amend, revise, and codify section fifty-three (53) of the compiled code of Iowa, relating to copies of laws taking effect by publication, with report of committee recommending passage, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Floyd	Lovrien	Rust
Anderson of	Gibson	Mathews	Saunders
Webster	Gilbert	Moen	Schirmer
Berry	Gilbertson	Napier	Schulte
Blake	Gilmore	Natvig	Scott of
Blume	Grimwood	Noble	Appanoose
Bradley	Hansen	O'Donnell	Scott of Fremont
Brady	Harrison	Oliver	Slemmons
Brittain	Hauge	Olson	Smith of
Buffington	Healy	Ontjes	Chickasaw
Carter	Held	Orr	Smith of Lucas
Children	Hempel	Parsons	Stookesberry
Clark	Henderson	Patterson	Storey
Cole	Hollis	Peterson	Strippel
Donhowe	Huff	Potts	Ulstad
Dooley	Johnson	Powers	Venard
Doelittle	King	Quirk	Vincent
Dotts	Knutson	Rankin	Wamstad
Edson	Lake	Rassler	Weber
Elliott	Leonard	Rewoldt	Williams
Fackler	Letts	Rhinehart	Wilson
Frahm	Lichty	Robson	Wolfe
Gallagher	Lieberknecht	Rumley	Mr. Speaker—31.
Garber of Adair	Long		

The nays were, none.

Absent or not voting:

Colbert	Forsling	McClune	Stock
Criswell	Gesman	Matthiesen	Yenter—17.
Dewar	Graham	Miller	
Diltz	Hattendorf	Ramsey	
Edge	Himebauch	Sampson	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 250, a bill for an act to amend, revise, and codify chapter one (1) of title thirty-four (34) of the compiled code of Iowa, relating to magistrates and peace officers, with report of committee recommending amendment and passage, was taken up and considered.

#### SPECIAL ORDER NO. 2

Time having arrived for Special Order No. 2, the motion filed to reconsider the vote by which House File No. 213 passed the House was taken up for consideration.

Parsons of Calhoun moved the previous question.

Motion prevailed.

On the question "Shall the House reconsider the vote by which House File No. 213 passed the House?" rule 18 was invoked.

The ayes were:

Aiken	Edge	Knutson	Rumley
Anderson of Webster	Elliott	Leonard	Scott of Appanoose
Berry	Fackler	Long	Slemmons
Blake	Frahm	McClune	Smith of Lucas
Blume	Gilbertson	Mathews	Ulstad
Brady	Graham	Noble	Venard
Children	Hansen	Olson	Wolfe
Criswell	Harrison	Orr	Yenter—40
Dooley	Hattendorf	Potts	
Dotts	Huff	Quirk	
	King	Rassler	

The nays were:

Bradley	Gibson	Miller	Saunders
Brittain	Gilbert	Moen	Schirmer
Buffington	Gilmore	Napier	Schulte
Carter	Grimwood	Natvig	Scott of Fremont
Clark	Hauge	O'Donnell	Smith of Chickasaw
Colbert	Healy	Oliver	Stokesberry
Cole	Held	Ontjes	Storey
Dewar	Hempel	Parsons	Strippel
Diltz	Henderson	Patterson	Vincent
Donhowe	Himebauch	Peterson	Wamstad
Doolittle	Hollis	Powers	Weber
Edson	Johnson	Ramsey	Williams
Forsling	Lake	Rankin	Wilson
Gallagher	Letts	Rewoldt	Mr. Speaker—65
Garber of Adair	Lichty	Rhinehart	
Garber of Floyd	Lieberknecht	Robson	
Gesman	Lovrien	Rust	

Absent or not voting:

Matthiesen	Sampson	Stock—3
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The House refused to reconsider the vote by which House File No. 213 passed the House.

On motion of Orr of Keokuk the House adjourned until 3:25 p. m. today.

### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

Patterson of Kossuth moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

Motion prevailed and the Speaker appointed as such committee, Patterson of Kossuth, Smith of Chickasaw and Powers of Page.

Patterson of Kossuth, from the committee appointed to notify the Senate that the House was ready to receive it in joint convention, reported that it had performed its duty.

Report accepted and the committee discharged.

The sergeant-at-arms announced the arrival of the President of the Senate, the Secretary of the Senate, and the honored body of the Senate.

The President of the Senate was escorted to the Speaker's station, the Secretary to the chief clerk's desk, and the members of the Senate took seats on the west side of the chamber.

#### JOINT CONVENTION

As per concurrent resolution duly adopted, the joint convention was called to order, Lieutenant-governor John Hammill, President of the Senate, presiding.

The President announced a quorum present and the joint convention duly organized.

Senator Smith of Madison moved that a committee of three be appointed to notify Judge Hough that the joint convention was ready to receive him, and to escort him to the speaker's station.

Motion prevailed and the President appointed as such committee, Senator Smith of Madison, Representatives Moen of Lyon and Slemmons of Buchanan.

The President requested the above named committee to invite the Hon. N. E. Kendall, Governor, to attend.

The committee reported and announced the arrival of Judge Wm. A. Hough of the Indiana tax commission and Hon. N. E. Kendall, Governor of Iowa.

Judge Hough and Governor Kendall were escorted to the Speaker's station.

Lieutenant-governor Hammill then presented Governor Kendall who in turn introduced Judge Hough who addressed the joint convention.

Ontjes of Grundy moved that the remarks of Judge Hough be printed in the Journal.

Motion prevailed.

Senator Haskell of Linn moved that the joint convention be now dissolved.

Motion prevailed.

#### HOUSE RESUMED SESSION

The House reconvened, Speaker Anderson in the chair.

#### AMENDMENTS FILED

Hansen of Scott filed the following amendment to House File No. 66:

Amend House File No. 66 by striking out all of section 36 and substituting in lieu thereof the following:

A board of supervisors of any county which has acquired real estate for county or district fair purposes and which has a society using said real estate, or in a county having a population of fifty thousand (50,000) or over in which there is a society owning and using real estate for fair purposes, may levy a tax not to exceed one-half ( $\frac{1}{2}$ ) mill upon all the taxable property of the county, the funds realized therefrom to be known as fair ground fund, provided, however, that should any such society discontinue to use such real estate for fair purposes and there be any of such fund remaining, it shall be paid into the general fund of the county before any money can be paid back to the stockholders.

Children of Pottawattamie filed the following amendments to House File No. 90:

Amend House File No. 90 as follows:

1. Amend the paragraph following the enacting clause as follows: Strike out of lines two (2) and three (3) the words and figures "two thousand three hundred twenty-nine (2329)" and insert in lieu thereof the words and figures "two thousand three hundred thirty-two (2332)".

2. Insert after section eight (8) the following:

"Sec. 8-a1. Each member of the board, and each member of the finance committee, shall take oath and qualify as provided by section six hundred nine (609) of the compiled code."

(The code editor shall insert proper section of new code.)

3. Amend by striking out section eleven (11) and inserting in lieu thereof the following:

"No sale or purchase of real estate shall be made save upon the order of the board, made at a regular meeting, or one called for that purpose,

and then in such manner and under such terms as the board may prescribe and only with the approval of the executive council. No member of the board or finance committee nor any officer of any institution, shall be directly or indirectly interested in such purchase or sale."

4. Amend section fifteen (15) by inserting following the word "loan" in line one (1) thereof the following: "permanent, endowment or trust" and following the words "belonging to" in same line insert the words "or held for".

5. Amend section twenty-six (26), subsection two (2), by inserting after the word "endowment" in line six (6) the words "and other". Also by inserting before the word "tuition" in same line the words "state appropriations,".

6. Amend by striking out all of section twenty-seven (27) following the subhead and inserting in lieu thereof the following:

"The board shall make reports to the governor and legislature of its observations and conclusions respecting each and every one of the institutions named, including the regular biennial report to the legislature covering the biennial period ending June thirtieth, preceding the regular session of the general assembly. Said biennial report shall be made not later than October first in the year preceding the meeting of the general assembly, and shall also contain the reports which the executive officers of the several institutions are now or may be by the board required to make, including, for the use of the legislature, biennial estimates of appropriations necessary and proper to be made for the support of the said several institutions and for the extraordinary and special expenditures for buildings, betterments and other improvements."

7. Amend section thirty (30) by inserting in line one (1) following the word "appropriated" the following words: "for the biennium ending July first, nineteen hundred twenty-five (1925)".

Rewoldt of Bremer filed the following amendment to House File No. 250:

Amend section six (6), line two (2) of House File No. 250 by inserting the word "necessary" between the word "actual" and the word "expenses" in line two (2) of section six (6).

Fackler of Adams filed the following amendment to House File No. 250:

Amend section 9 by adding thereto the following:

"The governor and attorney general may call upon any county attorney to enforce the law within his own county."

On motion of Blume of Crawford the House adjourned until 9:00 a. m. Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 16, 1924.

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

Prayer was offered by the Rev. William P. Webb, pastor of the M. E. church, Hinton, Iowa.

Journal of January 15th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Children of Pottawattamie for the remainder of the week, on request of Williams of Montgomery; Yenter of Johnson for the remainder of the week, on request of Elliott of Scott.

## PETITIONS

Letts of Washington and Mathews of Des Moines presented resolutions from W. C. T. U., Des Moines, Louisa, and Washington counties, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Ontjes of Grundy moved that the remarks of Hon. William A. Hough of the Indiana tax commission, delivered before the joint convention on January 15th, be printed in the Journal.

Motion prevailed.

## REMARKS OF HON. WILLIAM A. HOUGH

To your governor, to your lieutenant-governor, speaker of the House of Representatives and to you gentlemen, members of the General Assembly, I desire to express my deep appreciation of the high honor that has been conferred upon me by the invitation to address you this afternoon. I have been asked to talk to you about the problems of taxation, particularly about the operation of the budget law which we have in force in the state of Indiana as affecting the control of public expenditures.

Taxation is as old and older than civilization. From the first faint glimmerings of right and justice which appeared in the mind of the

savage in that early day before we had anything like government, and he began to see that there should be some sort of a higher rule than mere force, and as a result of that, began organizing among his relatives and his friends the little tribes which protected each other, we had the beginning of government upon the face of the earth, and with these first governments which originated in such a crude way the civilization of today has grown, and from these first roughly organized governments there has grown a necessity to in some way raise the funds which are necessary to pay the administrative expenses of government. There is no problem throughout the United States, nor indeed throughout the whole world, which is attracting such active interest as is the problem of taxation today. We have seen throughout the United States in the last five or six years a continued growth of the burden of taxation falling, as it does, upon every township and every city and county in the whole United States. There have been a number of methods adopted by different states, seeking in some way to lift this terrific burden which in many parts of the United States is weighing down the taxpayer to a point where, in some instances, the entire income from his property is absorbed by taxation.

In the year 1911 the state of Ohio enacted a new law which they thought would effect a control over public expenditures and would hold down the expense so that there would be no possibility of either extravagance or waste of public funds. They enacted a law in that year by the terms of which every township was limited to a tax levy of one per cent and every city was limited to a tax levy of one and one-half per cent, and these levies fixed by law throughout the entire state were subject to change only by a vote of the taxpayers of the taxing units where the levy was made. After this law had been enacted the legislature rested upon their oars. They said, "We have solved the problem and we will let the law take care of itself." But you can never enact any sort of law in regard to taxation which will be self-enforcing. You must have those laws enforced by individuals, and those individuals must be responsible to the people, and without publicity there is no responsibility. I wish I could go into the matter more in detail, but I will say that the people of Ohio neglected the most important thing in regard to the expenditure of public monies—they placed no limit upon the borrowing capacity of their various taxing units, and the result has been that they have been compelled to change their laws. The bonded indebtedness has mounted to a terrific height; in fact, in the city of Cincinnati they have today a bonded indebtedness of ninety-four million dollars, and petitions for other bond issues amounting today to thirty million dollars are lying upon the table of the mayor of that city. To show you what an enormous indebtedness that is for a city of that size, with about the same amount of taxable property as we have in the city of Indianapolis, there is in the whole state of Indiana, with every township and every village and every city and every county and the state itself, an indebtedness today of only one hundred forty million dollars—just a little more than they have in the city of Cincinnati alone. Cleveland has a greater indebtedness than the whole state of Indiana, with every city, township and county in it. That has been the direct result of this extremely low limit

placed upon their tax levies, and many of the cities of the state of Ohio have been driven to enacting measures which are so extremely oppressive that every business and profession and every trade feels the additional heavy hand in the way of taxation. Two years ago in the city of Chicago I was addressing the national convention of the Municipal Leagues of the United States, and while there the controller of the city of Cincinnati arose after my address and asked me what they could possibly do to raise enough money to run the city for the next year. He said: "Every dollar we can raise on taxes will be taken up by the payment of interest and principal on the bonded indebtedness and the fixed expenses," and I said that there was only one thing they could do, and that was to levy a tax by means of a city ordinance upon the business, upon the professions and trades existing in their city, and they have that sort of an ordinance in force today. Every lawyer and every doctor and every professional man, the business man, theaters, newspapers and trades, excepting the common laborer in the streets and domestic servants, are taxed in the city. If it had not been for that ordinance, there would not have been a single dollar for expenditure for administering the business of that great metropolis of the central west.

Detroit, Michigan, had six years ago fifteen million dollars of indebtedness; they have today an indebtedness of one hundred fifty-five million. Every department in that city has been demanding more and more and more from the taxpayers, and with the rapidly growing city, the schools are demanding more and more, and they are borrowing and borrowing until they have that enormous indebtedness placed upon their city. Just one instance of how the expenses of that city have grown: In 1917 there appeared before the city council a group of business men and women who asked for an appropriation of a little more money for recreational purposes. They wanted to secure some gymnasium appliances for schools and parks, and the members of the council asked what amount they needed, and they said about ten thousand dollars, and they appropriated the ten thousand dollars, turned it over to a committee without salaries who expended the money very carefully to the advantage of the school children of that city, but that one little entering wedge has grown until last year they appropriated for that purpose four hundred fifty thousand dollars.

One of the reasons our taxes have been growing in every state has been, that we are doing more things for the public; the public is demanding more things, and they are being paid for out of taxes. In Indiana it is only a few years since there was no such thing as road construction work paid out of taxes, but now they are spending millions of dollars for construction of roads and paying for them out of taxes, whereas, formerly they were paid for by abutting property owners—those most directly benefited. No county had a county agricultural agent, but now they have one in every county; also probation officers and county attendance officers, and county highway superintendents, and these various activities have been growing and requiring more money and more money. Half of the cities in Ohio today as a result of this growth of expenditures, without a corresponding increase in tax levy, are practically bankrupt.

They cannot borrow any more money and they cannot operate on their tax revenues.

Other states have approached this matter in other ways. I will tell you what happened in Minnesota. They used what they thought was an excellent plan. In 1911 they passed a law limiting the taxes to be collected in any city, village or township in the state to \$40 for civil purposes, and to \$60 for school purposes; that is to say, they limited throughout the whole state the total amount of tax that could be levied to \$100 per capita, and then they rested on their oars. They left the legislature open to attacks of all sorts of people for all purposes, and in four years that law was amended more than two hundred times. The taxing district gradually was released from the operation of the law, the cities also, until there were more taxing units in the state of Minnesota where the law did not apply than there were where it did apply. The first city that came down was the city of Franklin in the northern part of the state. They said, "We cannot pay the interest and principal on our bonded indebtedness and running expenses with \$100; we must be relieved."

In 1902 there was passed in the state of Minnesota what they thought was a law which would do away with all special legislation. They provided in that law that no special legislation could be enacted which applied to only one county or city or town. But after they got the law passed it amounted to nothing because they classified these towns, cities and taxing units so that the law applied to only one town. They did this by saying that "all cities having a population of more than 9,998 and less than 10,000" shall have such and such a law. Combining with limits on population or limits on total taxables, the total number of acres in certain school districts in these amendments, the result was, that their laws have been shot full of holes and they practically have today, instead of what they thought was a perfect solution of the problem of expenditure of public moneys, no control at all. In the city of Franklin the total tax collected last year amounted to \$763 for every man, woman and child in that city. Reason why: It was because one of the big mining companies of Minnesota paid 99.1 per cent of all the taxes paid in that city and the people that paid the taxes had nothing to say about the manner of spending the money.

You never can have any law which will result in a satisfactory solution of the taxation problem until, as a result of that law, every dollar that is expended publicly is expended as well and as carefully as a dollar would be in a well-managed private business. How can that be done? In the first place, you must have publicity in regard to the expenditure of your public money, and you must have publicity in regard to the creation of an indebtedness, and you must have publicity in regard to the levying of your taxes.

We have in force in Indiana a law resulting in a very great saving—not the very best plan to be discovered, but the best law controlling public expenditures in force in any state in the union today, and it grew out of the very same sort of circumstances as here and there exist all over the United States. I might say here that while you have in your state a very grave complaint about high taxes, and your taxes are higher

than they ought to be, that so far as some states are concerned, you are living in a paradise of economy, and so are we in our state.

Taxes have increased on the average throughout the United States since 1916 about 220 per cent, part of that growing out of the increased cost of materials and supplies of all kinds, and part of it growing out of waste and extravagance and fraud which is spreading out until it has touched, if it has not covered, every state in the union. There is a story which I sometimes relate to illustrate the condition in which the states of the union find themselves: A state tax commissioner in Ohio said that he would like to know what I thought about the condition of their state after going through there, and I said it was in statu quo. "What do you mean by that?" I explained to him that a few years ago a man in the south was hanged and they placed on his body a card: "This body must remain in statu quo until 10 o'clock tomorrow morning." A group of men gathered about the body hanging from a tree in the fair grounds and looked it over. Several inquired about the meaning of the words. No one knew. Soon a justice of the peace came along and they said, "We will ask the venerable squire." "Squire, what do them words mean up there—in statu quo?" He looked up and said, "Well, boys, that means that this fellow is in a hell of a fix." And that is the shape that a good many of our states are in today. In the state of New York more than one thousand lawsuits are pending, brought by the national banks of that state to recover taxes paid during the past four years, growing out of a conflict between the national and state laws in regard to the assessment and taxation of national banks. Also in the state of North Dakota every national bank is suing to recover similar taxes. In twenty-one states where they have a classified system of property taxation, the same sort of condition concerning the taxing problems and the laws of those states, exists.

In this chaos there must be found some sort of method which will be good for any state and will be good for every state. We think we have made a step in the right direction. In the year 1919 there was passed in the state of Indiana a law requiring that all tax levies made by townships or cities or counties should be approved by the state board of tax commissioners before the levies become effective. In that year the levies that were made were reduced by the state board of tax commissioners to the minimum figures. Some of the counties were left without enough money to complete their year. Some of the cities were left in the same sort of condition. At the same time the law provided that there should be no indebtedness of any kind created unless a petition for the bond issue should first be presented to the state board of tax commissioners and an explanation made as to the necessity for the money to be borrowed. This resulted in the denial of about nine million dollars of bond issues in the state in 1920. The following year a special session of the legislature was held and there was such a cry for home rule that this law was repealed. The jurisdiction of the state board of tax commissioners over bond issues and tax levies was taken away, and in the following year the total taxes collected in the year increased thirty-six million dollars. The law repealing the law providing for the supervision of bond issues went into effect on January 1, 1921. Between the first day of January, 1921, and

the first day of March there were issued in the state of Indiana thirty million dollars of bonds for the construction of roads and school houses and other public improvements. The legislature was in session and it reenacted the law as it had formerly been, with this exception: that it provided that if the taxpayers of the taxing unit were dissatisfied with the local tax levy or proposed bond issue, they could, by petition signed by ten or more taxpayers of the district, bring the tax levy or bond issue before the state tax commission for review, and under that law we are operating today. While there was a very determined effort made on the part of a small body of men before the legislature which met last year to repeal the law, not only was it retained on the statute books, but they strengthened it in some particulars because our people now believe in the law; they have seen what enormous savings have been effected under the law, and I feel that unless there is a very great change in public sentiment, this law cannot be taken away from the people of the state of Indiana. I may say that the law requires hearings on petitions for review to be held locally.

Just a few instances showing how this law operates and what great savings have been made. Since March 11, 1921, the state board of tax commissioners by its action on bond issues and tax levies has saved the people of the state more than fifteen million dollars in taxes. Let me show you how some of those savings were made: In 1922 I had before me a bond issue in Allen county for construction of a concrete road—11 miles long, 20 feet wide, and running out of the city of Ft. Wayne to the north—a very important road and one badly needed. It passed the county tuberculosis hospital and county asylum, and was to be joined by a road of like construction from the north to the city of Kendallville. I went to Ft. Wayne to hear the bond issue discussed; the hearing was held locally, right in the taxing unit where the question arose. The proponents of the road project were represented by five or six able lawyers. The petitioning taxpayers against the bond issue had no attorney representing them. The hearing proceeded for about two hours, and at about 11 o'clock in the morning I told them that it was no use to proceed with the hearing any farther, that this bond issue could not be granted; the contract price was too high for the road. The road was one we called standard, that is, the standard specifications were the ones used by the state highway commission. I told them that they were building a road in Madison county exactly like this one for fifteen thousand dollars less on the mile than they were paying on this road. They had filed a petition of 1,425 names all in favor of the road being built. People will sign a petition for anything without ever inquiring about the cost. The bond issue that was before us then had, in my judgment, about \$175,000 to \$180,000 more than it ought to have carried, and I told them so. The contractors asked to have the matter continued until later in the day, and then came back and their attorneys laid on the table in front of me a written offer to knock off of the contract price \$131,000 if we would authorize the bonds. I said, "Gentlemen, we do not fix the price for building roads; that must be fixed by competitive bids; your price is still too high." Eventually, the bond issue was denied. We directed the county commissioners to readvertise for bids. The contractors brought an injunction suit

against the commissioners and secured a restraining order restraining them from receiving bids. The people opposed to the bond issue did not employ any attorney, but the court dissolved the restraining order. They let the contract to complete that road for \$362,000 without the change of a single word in the plans and specifications. It saved the people of that county more than \$200,000 on that one road. Over in Elkhart county there were four bond issues involving the expenditure of \$450,000 for the construction of concrete roads. The bond issue was denied and afterwards the contracts were let for the roads, one at a time, which resulted in the saving of \$108,000 in the contract price. There are instances of that kind all over the state on public buildings, school houses, and court houses, and there is hardly a county where a saving has not been made in the construction of roads or public buildings. We do not claim to be engineers or to know what roads ought to cost, but if a road is being built in one county for \$31,000 and in another county for \$47,000 for the same length, that that is too large a difference to exist, and we cut out the bond issue until we know why one road should cost more than another. We can take the plans and specifications for a road and figure the additional freight to haul the materials and figure the additional amount of money for common labor, and we can figure the amount of hauling to be done, and we can tell whether or not they have a fair profit in the contract. This man who built the road in Allen county, on this contract that saved the taxpayers more than \$200,000, told us that he made a profit on his contract of 15 per cent and still saved the additional money to the taxpayers that would have been taken from them if it had not been for the enactment and enforcement of our law.

I could tell you of dozens of instances where we saved all the way from \$5,000 to \$6,000 on some small roads up to many thousands on larger roads. On the construction of one court house we saved to the taxpayers more than \$175,000.

It used to be under our laws that when a contract was let there was no supervision of it; let sometimes to the lowest bidder and sometimes not. Our statutes require that it be let to the lowest and best bidder, and that "best" leaves a leeway to the board. Now with a bond issue granted for a specific purpose and a bond filed that the contract shall be completed, there is no such thing as putting extras in. I do not claim that these men are all dishonest. Take the ordinary board of county commissioners, and they are honest men, but they are not familiar with business and that is the trouble with them. They are subjected to the persuasive powers of their friends or brothers of their own political party or business associates and of relatives, and until you get away from the local influence and the local prejudices in any community, you will not be able to control public expenditures. There is some force higher than anything you can do that will deprive you of any control over those expenditures unless, in my judgment, it is vested in some authority which is not subjected to those local influences.

In regard to the tax levies, I want to say a few words and show you how much money has been saved in the operation of this law in regard to the levies made by local taxing officials. Prior to the enactment of this law the local officers made the tax levy. The township trustees made

the tax rate for the townships, the county commissioners for the county, and the city councils made the tax rate for the cities, based upon the levies that were made by the different departments of city governments. Under the operation of this law, in regard to tax levies, every taxing unit in the state is required by law on the first Monday of September to publish a budget for the ensuing year. This budget sets out in itemized form the amount of money needed for each one of the purposes under the control of the body which makes the tax levy, and upon the amount set forth they make a tax rate which will raise the amount of money which they show in their budget they require for the specific purposes of their department. In a city of the size of Indianapolis there are a number of different bodies making these tax levies. For instance, the school board makes the tax levy for school purposes; the park board for the park district; the sanitary board for the sanitary district; and the board of health makes the levy for the board of health's activities in that city.

The city council makes the levy for the maintenance of the fire department and the police department and passes finally upon all levies made by these different departments in the life of the city. In 1921 we cut out of the budget of the city of Indianapolis \$600,000, and in 1922 we cut out of the budget of the state of Indiana about \$700,000. In 1923 we cut out of the tax budget of the same city \$1,365,000. These levies are made by these boards at the head of these separate activities, and the trouble is, that every one of these boards is so close to its own activity that it cannot see anything else, and there is no supervisory power; the taxpayers are not there and do not pay any attention to the expenditure of public moneys, and the taxpayers in your state do not pay any attention to it. I asked at a meeting in your state where I was talking to more than 300 men, how many men had ever inquired into the matter of how the public money was expended, and not a single hand was raised. They were business men, wrapped up in their own business, and just as I said today at noon, when these different boards meet, when your city councils meet, when your legislature meets, the taxpayers are not there. And I told of an instance of how easy it was to get a bill through the legislature. In one of our states a law was passed regulating the passing of trains. It provides that at railroad crossings, whenever two trains shall approach a railroad crossing, both of the trains shall stop and neither one shall proceed until the other has passed. That is exactly the way they changed these laws in Minnesota. There would be a group of city officials and a number of business men come down to the legislature and would state that their local needs were so and so, that they needed certain changes made, and nobody was there objecting to it, and the bill went through, and that is the way two hundred bills got through the legislature of Minnesota. In 1911 the tax rate in Minnesota on each \$1,000 of property was \$27.13; in 1916 it was \$33.19, and in 1922 it was \$52.47. Your tax rate has grown about as Minnesota's has, and about as Indiana's has. Some of the increases are a great deal more than that, and here is a particular method for cutting down the expenditure of public money. The disposition has been throughout the United States, instead of trying to reduce expenditures, to go out and find new property to tax. The disposition has been to see what new property could be

found to tax and how we could change our valuations so as to raise more money, instead of saying: Here is our income; how are we going to spend the income? Instead of that, we say, here are our expenditures; we have arbitrary power, let us raise the money, and that has been the disposition, and it has brought township after township close to ruin. In 1915 we had appointed in the state of Indiana a nonpartisan commission to make investigations upon the valuations placed upon property. A very excellent commission which went out and reported back to the governor and to our general assembly that property in the state of Indiana was valued all the way from 14 cents of its true value to 150 cents on each dollar, and the investigation showed also, that wherever a public utility backed up a certain lot of men for office and these men were elected, they got an extremely low valuation. Wherever a public utility, gas, electric light or telephone company, was in politics and had backed up certain persons for office and they were defeated, the assessment on that property immediately went way up. The law has taken away from local assessors the assessment of all public utility property. The state board of tax commissioners assesses all railroads or traction lines, telephone, electric, water works, warehouses and public utilities of all kinds, and it has resulted in a uniform assessment of that class of property which is very satisfactory to the taxpayers and much more satisfactory to the public utilities than it ever was before. I think that that is one sort of change that probably ought to be enacted into law in every state.

In passing upon these tax levies we require the officers of a city to come before our board at a hearing which is held in their locality and explain to us what they are going to do with the amounts of moneys set out in their budget. For instance: The board of health comes in and says: We need so much money for salary, for new buildings, for maintenance, etc. We take their past expenses and see whether they have shown any extravagance in their expenditures, and if there is any padding we cut it out. In a hearing in 1922 there appeared before our board the ex-mayor of the city of Indianapolis, a very high class man, president of the park board, who wanted some money for park purposes. In the course of his remarks I said that we had cut out of the budget of the city of Indianapolis for the preceding year \$600,000 over his protest, and we found not an activity suffering, and that every one, with the exception of one fund, has a nice balance left in it. I said, "Why is it that the city of Indianapolis cannot run its business as it would if managed by a private corporation? Is it not possible to do that?" He said, "Mr. Commissioner, it is not possible under the present methods." Then I said, "Change the methods, and if you do not, we will change them for you. If you had had the \$600,000 last year which we cut out, would not you have spent every dollar, and your balance about the same?" and he said, "I am afraid they would, Mr. Commissioner." I would not be afraid to guarantee that after the end of the year, after the cut of \$1,365,000, as indicated above for the year 1923, that they will wind up the year with half a million dollars left in the treasury. The school board, the park board, the sanitary district, everyone is wanting more money for their particular activities. That is how your tax rate grows

and how your public money is expended; sometimes thrown to the winds and absolutely no good resulting to the public in the expenditure.

In Indianapolis in 1922 the school board was before us with a bond issue for \$847,000 for new buildings. We made a very thorough investigation into the activities of the school board and the sort of contracts they made and found out that they had been paying out for an architect 6 per cent on the general construction cost of every building, whereas, some architects were paying all expenses and getting commissions of but 5 per cent. The school board had employed a building advisor who had a contract by the terms of which he received 1 per cent on the general construction cost of all buildings that might be erected in the city. He had a partner and he and his partner had a contract with the school board by the terms of which they received 5 per cent on all engineering costs of the building, such as plumbing, heating, ventilating and electric wiring, and that one firm, either in money paid or a balance owing, would get \$127,000. They were paying the architects 20 per cent more than necessary under this indefensible contract by the terms of which they were throwing away an immense amount of money every year. Here is one experience of that board: They proposed a bond issue of \$350,000 and came before the state board of tax commissioners in 1919 when this law was first in effect; they had a smooth lawyer who came into the board office and said, "Gentlemen of the state board of tax commissioners, we are representing not only the present but the future of the great city of Indianapolis. We are here on behalf of these little children upon whose shoulders must fall the mantle of American citizenship." He continued about ten or fifteen minutes and then the board said, "We want to know what this building is going to cost. We are in favor of little children." And they showed the board that they had 5,000 children who were going to school half days only due to inadequate facilities, and over 5,000 housed in portable buildings. They got the bond issue of \$350,000. There was no control over their expenditures; the contract was not let before they got their bond issue, and when that building was completed it had cost \$548,000, and it did not have a seat for a single school child. They had changed the plans after the bond issue was obtained and had put in an auditorium, a gymnasium and a cafeteria and spent \$548,000 on the building, and had paid the architect for supervising 3 per cent, the building advisor 1 per cent, a building inspector \$5 a day, and it fell down before it was two stories high and injured 21 men.

That kind of thing cannot happen any more since we have this law on the statute books. When they get a bond issue now for a school building they make a contract to complete that building without any change in the plans and specifications and put with that a bond that the contractor will complete the building as provided for in the plans and specifications and no architect can get any 6 per cent fee any longer out of those contracts. We have stopped that and saved that money for the taxpayers, kept it in the pockets of the people to spend for other purposes. Is there any sort of plan that can exceed one like this in practical value to the taxpayers? When we were having controversies with the city of Indianapolis over their tax levies this last year, one of the prominent members of the administration and a member of my own

political party came to me and said, "Bill, you are going to ruin the party." "How? By making you operate on business methods and reducing the amount of money you are throwing away and wasting?" "Well," he said, "we have a lot of friends interested in these things and you are going to ruin the party." I said, "If that is going to ruin the party, damn the party." I said to him that the best service any man could render to his party is found in rendering the best service he can to the public. The grafters do not know the democratic or the republican party or any other party; they are after the money and they want to corrupt the man in office, no matter what political party he belongs to. Graft knows no politics. That is exactly the situation.

One other thing that is troublesome and that is in regard to tax-exempt property. This is a growing evil in every state of the union. Tax-exempt property is growing a continually widening margin. I say this, that there is no justification for the exemption of any property from taxes unless devoted to a public use. In 1919 in the legislature a bill was introduced to make the Y. M. C. A. and all its funds exempt. That sounds like a worthy sort of purpose. It went to a committee and some man asked to include the Y. W. C. A. buildings and all funds. It was reported out and on the floor of the house, after some opposition to the bill, another amendment was added providing that all buildings and funds used by the Young Men's Hebrew Association should be exempt; then another amendment providing that all property and funds used by the Knights of Columbus should be exempt, and they had enough votes to pass it, and it is still on the statute books. There is a continual pressure from interested sources to get legislation through, but there is no one representing the taxpayer to say to the legislature that no property ought to be exempt from taxation unless devoted to a public use. We have 25 sections of the statute exempting from taxation different classes of property. Many of them ought to be exempt, as educational institutions and churches and all those institutions for the upbuilding of the community, making better people, improving the class of our citizenship—those are justifiable exemptions.

There is something else in this question, something that reaches beyond good citizenship, something which reaches clear across the sea. Cast your eyes across the sea and see there the wreck and desolation that followed that most terrible war of all history and all ages. France owes 85 per cent of her total resources. Notwithstanding that fact, she spent last year three times as much as her income. Belgium owes 87 per cent of all her resources; Italy owes 82 per cent of all her resources; Great Britain owes 53 per cent of all resources and is the only one of those countries engaged in that terrible war which is solvent today. Austria has been cut up into six different states and from a population of fifty million people has gone down to about six million. Germany is dismembered, prostrate. Every one of those great countries engaged in that war is bankrupt today. Let our hope be that in some way and by some method a new Europe shall be erected upon the ruins of that old Europe which has disappeared amidst crumbling thrones and vanishing boundary lines. Beside those blood-stained rivers, and in the ashes of the humble homes and in the dust of marble palaces those poor people must begin to work again, to live again, to

begin again that age-old struggle for a higher and better civilization. And we can give to them something better than all the money you can send over there, and that will be a new model of government which shall arise upon the ashes of the old, based upon common sense and upon good business principles, based upon the expenditure of public money so that every dollar that is spent shall buy a dollar's worth of value, and if we can erect in this country by the methods that we use in the administration of our own private and public business a lighthouse which shall serve to them as a guiding way through the trouble and storms through which they must travel, we shall give to them something more valuable than gold or rubies and which shall enable them to say for the first time in all history: We have peace on earth and good will to men.

Q. Has there been any decrease in the tax levy on real estate?

A. Since 1919 the tax on real estate as a whole has decreased something like 9 per cent in our state. I have with me a table which will show the total percentage of taxes paid by the different classes of property. On real estate in the state outside of cities and towns, that is, farming lands and such other real estate as may not be used for farming, pays 30.49 per cent of all the taxes in the state. The real estate located inside of cities and towns pays 30.38 per cent. Personal property in cities and towns pays 19.67 per cent of the total taxes; outside of cities and towns it pays 6.93 per cent. Railroads pay 3.77 per cent inside of cities and towns, and in townships, 6.74 per cent of the taxes. Summing this all up, real estate in Indiana pays 60.87 per cent of the taxes; personal property pays a total of 26.60 per cent; railroads pay 10.51 per cent; telephone and telegraph pay .95 per cent; and poll tax pays 1.07 per cent of the total tax paid in the state. I might say that in the valuation of farm lands in the state we take into consideration the selling value of the land and we have a complete record of all sales made since January first, 1919; we take into consideration the income-producing value of the land, and we have complete statistics showing the amount of grain, the amount of hay, the number of cattle raised and the hogs, the milk, butter, eggs, and even down to the honey from the bees. In addition to that, we have a cooperative statistical report which is made to an officer in the statehouse of the estimated value of the land by the persons who live in the community, and upon all of these combined statistics we fix in each county of the state the rank that it ought to bear to other counties in regard to the valuation which should be placed upon the lands in these counties, and when the reports come in we adjust them by either horizontal increases or decreases on the general valuation of the land the assessed values in each of the different counties of the state, ranging, as it does, from about \$12 an acre in the poorest counties up to \$180 in our best counties.

Q. What per cent of all the taxes collected in the state is used for support of the schools?

A. We collected about \$114,000,000, and including the state educational institutions and our common and high schools, we spent out of that about \$62,000,000 every year. Our state institutions are supported by a tax of 5 per cent which is divided as follows: Two-fifths to the state university, two-fifths to Purdue, and one-fifth to our state normal schools.

Taxes levied for the construction of roads and schools form by far the larger part of our taxes.

Q. What is the rate on moneys and credits?

A. The rate on moneys and credits is just exactly the same rates as on other kinds of property. There is no classified property tax. The law requires all property to be assessed at the true cash value. We have a rather remarkable experience that as the tax rate goes up the intangible property disappears from the tax duplicates. Personal property pays about 26 per cent of all the taxes paid in the state.

Q. Is there any supervision over assessors?

A. Local assessors are under direct supervision of the state board which has power to remove them from office, and where values are too low the state board is empowered by law to make a horizontal increase on any particular class of property. If too low in any one county or city, or if household goods are assessed too low, or hogs or grain, we can order a horizontal increase placed upon the taxable property in that particular class.

Q. Has there been any reduction in the percentage of tax levy as compared with the percentage in the period preceding the passage of the law creating the state tax commission?

A. It has decreased very materially. There has been a decreased assessment on corporations and on public utilities of all kinds since they have been assessed by the state board of tax commissioners. It has resulted in a very substantial reduction in the taxes paid by other classes of property, including real estate.

Q. How are assessors chosen?

A. They are elected by the people. An ideal method would be, to have all the assessors appointed by the governor instead of elected, and to provide that they should be distributed politically as in the judgment of the legislature would seem best.

The county assessors have supervision of the work of the township assessors. The township assessor is the fundamental officer in regard to assessment for taxation. He makes a report during the assessing period every day to the county assessor on the valuations he is placing upon the different classes of property being assessed. The county assessor will often order the township assessor to go back and place a different valuation on some property in order to even it up with other districts in his county. They are still subject to change by the county board of review.

#### CONCURRENT RESOLUTION NO. 8

Patterson of Kossuth offered the following concurrent resolution:

*Whereas*, the Hon. L. J. Dickinson, congressman from the Tenth Congressional district, is in the city of Des Moines;

*Be It Resolved by the House, the Senate concurring:* That Hon. L. J. Dickinson be invited to address the members of the General Assembly at 11:30 a. m. today.

By unanimous consent the resolution was taken up for immediate consideration and, on motion of Mr. Patterson, 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. 105, a bill for an act to amend, revise, and codify sections two thousand six hundred six (2606) to two thousand six hundred eight (2608), inclusive, of the compiled code of Iowa, relating to education.

Also, that the Senate refuses to concur in the House amendments to Senate File No. 75, a bill for an act to amend, revise, and codify sections sixty-three hundred seventeen (6317) to sixty-three hundred thirty-two (6332), inclusive, of the compiled code of Iowa and section sixty-three hundred twenty-seven-a one (6327-a1) of the supplement to said code, relating to chattel mortgages, real estate mortgages creating liens on personal property, and conditional sales of personal property.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 102, a bill for an act to amend, revise, and codify sections two thousand five hundred eighty-one (2581), two thousand five hundred eighty-two (2582) and two thousand five hundred eighty-three (2583) of the compiled code of Iowa, relating to education.

L. W. AINSWORTH, *Secretary.*

#### SENATE MESSAGES CONSIDERED

Senate File No. 105, a bill for an act to amend, revise, and codify sections two thousand six hundred six (2606) to two thousand six hundred eight (2608), inclusive, of the compiled code of Iowa, relating to education.

Read first and second times and referred to committee on schools and textbooks.

#### HOUSE INSISTS UPON AMENDMENTS TO SENATE FILE NO. 75

Clark of Linn moved that the House insist upon its amendments to Senate File No. 75.

Motion prevailed.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File No. 74.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 74.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Carter of Hardin, unanimous consent having been given, House File No. 102, a bill for an act to amend, revise, and codify sections two thousand five hundred eighty-one (2581), two thousand five hundred eighty-two (2582) and two thousand five hundred eighty-three (2583) of the compiled code of Iowa, relating to education, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend by striking out the word "shall" appearing in line five (5) of section four (4) thereof, and inserting in lieu thereof the word "may".

Mr. Carter moved that the House refuse to concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were:

Cole	Miller	Rankin	Wamstad
Gibson	Ontjes	Rassler	Wolfe—11
Huff	Orr	Smith of Lucas	

The nays were:

Anderson of	Dewar	Gilbert	Johnson
Webster	Donhowe	Graham	King
Blake	Dooley	Grimwood	Lichty
Blume	Doolittle	Harrison	Lieberknecht
Bradley	Dotts	Hattendorf	Long
Brittain	Edge	Hauge	Lovrien
Buffington	Edson	Held	McClune
Carter	Fackler	Hempel	Mathews
Clark	Frahm	Henderson	Moen
Colbert	Gallagher	Himebauch	Napier
Criswell	Garber of Adair	Hollis	Natvig

O'Donnell	Robson	Scott of Fremont	Storey
Parsons	Rust	Slemmons	Strippel
Potts	Saunders	Smith of	Vincent
Powers	Schirmer	Chickasaw	Weber
Quirk	Scott of	Stock	Wilson
Ramsey	Appanoose	Stookesberry	Mr. Speaker—65

## Absent or not voting:

Aiken	Gesman	Letts	Rhinehart
Berry	Gilbertson	Matthiesen	Rumley
Brady	Gilmore	Noble	Sampson
Children	Hansen	Oliver	Schulte
Diltz	Healy	Olson	Ulstad
Elliott	Knutson	Patterson	Venard
Forsling	Lake	Peterson	Williams
Garber of Floyd	Leonard	Rewoldt	Yenter—32

The House refused to concur in the Senate amendments to House File No. 102.

## CONSIDERATION OF BILLS

House File No. 252, a bill for an act to amend, revise, and codify section ninety-five hundred sixty-two (9562) of the compiled code of Iowa, relating to appeals in criminal cases, with report of committee recommending passage, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gallagher	Lieberknecht	Saunders
Webster	Garber of Adair	Long	Schirmer
Berry	Garber of Floyd	Lovrien	Schulte
Blake	Gibson	McClune	Scott of
Blume	Gilbert	Mathews	Appanoose
Bradley	Gilbertson	Miller	Slemmons
Brittain	Grimwood	Moen	Smith of
Buffington	Hattendorf	Napier	Chickasaw
Clark	Hauge	Natvig	Smith of Lucas
Colbert	Healy	Noble	Stock
Cole	Held	O'Donnell	Stookesberry
Criswell	Hempel	Ontjes	Storey
Dewar	Henderson	Orr	Strippel
Donhowe	Himebauch	Parsons	Ulstad
Dooley	Hollis	Patterson	Vincent
Doolittle	Huff	Potts	Wamstad
Dotts	Johnson	Powers	Weber
Edge	King	Ramsey	Williams
Edson	Leonard	Rankin	Wilson
Fackler	Letts	Rhinehart	Wolfe
Frahm	Lichty	Rust	Mr. Speaker—81

The nays were:

Rassler—1

Absent or not voting:

Aiken	Gesman	Matthiesen	Rumley
Brady	Gilmore	Oliver	Sampson
Carter	Graham	Olson	Scott of Fremont
Children	Hansen	Peterson	Venard
Diltz	Harrison	Quirk	Yenter—26
Elliott	Knutson	Rewoldt	
Forsling	Lake	Robson	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 267, a bill for an act to repeal paragraphs twenty-three (23) and twenty-four (24) of section sixty-nine hundred eighty-two (6982) of the supplement to the compiled code of Iowa, relating to the fees chargeable by the clerk of the district court, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Clark of Linn the amendments proposed by the committee were adopted.

Mr. Clark moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Fackler	Leonard	Potts
Webster	Frahm	Letts	Powers
Berry	Gallagher	Lichty	Quirk
Blake	Garber of Adair	Lieberknecht	Ramsey
Blume	Garber of Floyd	Long	Rassler
Bradley	Gibson	Lovrien	Rhinehart
Brittain	Gilbert	McClune	Robson
Buffington	Gilbertson	Mathews	Rust
Carter	Grimwood	Miller	Saunders
Clark	Harrison	Moen	Schirmer
Colbert	Hattendorf	Napier	Schulte
Cole	Hauge	Natvig	Scott of Fremont
Criswell	Held	Noble	Scott of
Dewar	Hempel	O'Donnell	Appanoose
Donhowe	Henderson	Oliver	Slemmons
Dooley	Himebauch	Ontjes	Smith of
Doolittle	Hollis	Orr	Chickasaw
Dotts	Huff	Parsons	Smith of Lucas
Edge	Johnson	Patterson	Stock
Edson	King	Peterson	Stookesberry

Storey	Vincent	Williams	Mr. Speaker—87
Strippel	Wamstad	Wilson	
Ulstad	Weber	Wolfe	

The nays were, none.

Absent or not voting:

Aiken	Gesman	Lake	S. Ripson
Brady	Gilmore	Matthiesen	Venard
Children	Graham	Olson	Yenter—21
Diltz	Hansen	Rankin	
Elliott	Healy	Rewoldt	
Forsling	Knutson	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Senate File No. 273, a bill for an act to amend, revise, and codify section eighty-one hundred sixty-eight (8168) of the compiled code of Iowa, relating to the release of common law or statutory liens on personal property, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Doolittle of Delaware the amendments proposed by the committee were adopted.

Mr. Doolittle moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Fackler	Johnson	Ontjes
Webster	Frahm	King	Orr
Berry	Gallagher	Knutson	Parsons
Blake	Garber of Adair	Leonard	Patterson
Blume	Garber of Floyd	Letts	Peterson
Bradley	Gibson	Lichty	Potts
Brittain	Gilbert	Lieberknecht	Powers
Buffington	Gilbertson	Long	Quirk
Carter	Grimwood	Lovrien	Ramsey
Clark	Hattendorf	McClune	Rankin
Colbert	Hauge	Mathews	Rhinehart
Cole	Healy	Miller	Rust
Criswell	Held	Moen	Saunders
Dewar	Hempel	Napier	Schulte
Dooley	Henderson	Natvig	Scott of
Doolittle	Himebauch	Noble	Appanoose
Dotts	Hollis	O'Donnell	Scott of Fremont
Edson	Huff	Oliver	Slemmons

Smith of Chickasaw	Stokesberry Storey	Vincent Wamstad	Wolfe Mr. Speaker—83
Smith of Lucas	Strippel	Weber	
Stock	Ulstad	Wilson	

The nays were, none.

Absent or not voting:

Aiken	Forsling	Matthiesen	Schirmer
Brady	Gesman	Olson	Venard
Children	Gilmore	Rassler	Williams
Diltz	Graham	Rewoldt	Yenter—25
Donhowe	Hansen	Robson	
Edge	Harrison	Rumley	
Elliott	Lake	Sampson	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SPECIAL ORDER MADE

On request of McClune of Mahaska, unanimous consent having been obtained, House File No. 66 was made a special order for Thursday, January 24th, at 10:00 a. m.

House File No. 86, a bill for an act to amend, revise, and codify sections twenty-two hundred sixty-five (2265) to twenty-two hundred seventy (2270), inclusive, section twenty-two hundred seventy-two (2272) and sections twenty-two hundred seventy-four (2274) to twenty-two hundred seventy-six (2276), inclusive, of the compiled code of Iowa, and sections twenty-five hundred fifty-eight-a three (2558-a3) and twenty-two hundred seventy-seven (2277) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up for consideration.

Ontjes of Grundy offered the following amendment to the committee amendments and moved its adoption:

Amend the committee amendment to section four (4) by striking out all of said amendment after the words "Inspect and" in line two (2) thereof.

Ontjes of Grundy moved that action on House File No. 86 be deferred.

Motion lost.

On the question "Shall the amendment by Ontjes of Grundy to the committee amendments be adopted?" a roll call was demanded.

The ayes were:

Dooley                      Ontjes                      \*      Smith of Lucas      Stookesberry—4

The nays were:

Anderson of	Gesman	Long	Robson
Webster	Gibson	Lovrien	Rust
Blume	Gilbert	McClune	Saunders
Bradley	Gilbertson	Mathews	Schirmer
Brittain	Grimwood	Miller	Schulte
Buffington	Harrison	Moen	Scott of
Carter	Hattendorf	Napier	Appanoose
Colbert	Hauge	Natvig	Scott of Fremont
Cole	Held	Noble	Slemmons
Criswell	Hempel	O'Donnell	Smith of
Diltz	Henderson	Orr	Chickasaw
Donhowe	Himebauch	Parsons	Stock
Doolittle	Hollis	Patterson	Strippel
Dotts	King	Peterson	Vincent
Edge	Knutson	Powers	Wamstad
Edson	Lake	Quirk	Weber
Fackler	Leonard	Ramsey	Wilson
Gallagher	Letts	Rankin	Wolfe
Garber of Adair	Lichty	Rassler	Mr. Speaker—76
Garber of Floyd	Lieberknecht	Rhinehart	

Absent or not voting:

Aiken	Elliot	Huff	Rumley
Berry	Forsling	Johnson	Sampson
Blake	Frahm	Matthiesen	Storey
Brady	Gilmore	Oliver	Ulstad
Children	Graham	Olson	Venard
Clark	Hansen	Potts	Williams
Dewar	Healy	Rewoldt	Yenter—28

The amendment to the committee amendments was rejected.

Blake of Fayette moved that action be taken separately on the committee amendments.

Motion prevailed.

The committee amendments were taken up separately and, on motion of Hauge of Polk, each amendment was adopted.

Storey of Warren offered the following amendment and moved its adoption:

Amend subsection thirteen (13) of section four (4) by inserting after the word "of" in line sixty-two (62) thereof, the words "applicants for teachers' certificates and".

Rassler of Pocahontas moved the previous question as applied to the amendment by Storey of Warren.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Gibson Gilbertson	Napier Natvig	Scott of Appanoose
Berry	Harrison	Noble	Slemmons
Blume	Hattendorf	Oliver	Smith of Lucas
Brittain	Hempel	Ontjes	Stookesberry
Buffington	Henderson	Orr	Storey
Colbert	Huff	Parsons	Ulstad
Dewar	Johnson	Patterson	Venard
Dooley	King	Peterson	Vincent
Dotts	Leonard	Powers	Wamstad
Edge	Long	Quirk	Wolfe
Fackler	Lovrien	Rassler	Mr. Speaker—55
Frahm	McClune	Rewoldt	
Garber of Floyd	Mathews	Saunders	
Gesman	Miller	Scott of Fremont	

The nays were:

Blake	Gallagher	Lake	Schulte
Bradley	Garber of Adair	Letts	Smith of Chickasaw
Carter	Gilbert	Lichty	Stock
Clark	Gilmore	Moen	Strippel
Cole	Grimwood	O'Donnell	Weber
Diltz	Hansen	Ramsey	Williams
Donhowe	Hauge	Rankin	Wilson—40
Doolittle	Held	Rhinehart	
Edson	Himebauch	Robson	
Elliott	Hollis	Rust	
Forsling	Knutson	Schirmer	

Absent or not voting:

Aiken	Graham	Olson	Yenter—13
Brady	Healy	Potts	
Children	Lieberknecht	Rumley	
Criswell	Matthiesen	Sampson	

Amendment adopted.

Hauge of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Colbert	Edge	Garber of Floyd
Berry	Cole	Edson	Gesman
Blume	Criswell	Elliott	Gibson
Bradley	Dewar	Fackler	Gilbert
Brittain	Diltz	Forsling	Gilbertson
Buffington	Donhowe	Frahm	Graham
Carter	Doolittle	Gallagher	Grimwood
	Dotts	Garber of Adair	Hansen

Harrison	Lovrien	Ramsey	Smith of Lucas
Hattendorf	McClune	Rankin	Stock
Hauge	Mathews	Rassler	Stookesberry
Healy	Miller	Rewoldt	Storey
Hempel	Moen	Rhinehart	Strippel
Henderson	Napier	Robson	Ulstad
Huff	Natvig	Rust	Venard
Johnson	Noble	Saunders	Vincent
King	Oliver	Schirmer	Wamstad
Knutson	Ontjes	Schulte	Weber
Lake	Orr	Scott of	Wilson
Leonard	Parsons	Appanoose	Wolfe
Letts	Patterson	Scott of Fremont	Mr. Speaker—90
Lichty	Peterson	Slemmons	
Lieberknecht	Powers	Smith of	
Long	Quirk	Chickasaw	

The nays were:

Himebauch—1

Absent or not voting:

Aiken	Dooley	O'Donnell	Williams
Blake	Gilmore	Olson	Yenter—17
Brady	Held	Potts	
Children	Hollis	Rumley	
Clark	Matthiesen	Sampson	

So the bill having received a constitutional majority was declared to have passed the House 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. 52, a bill for an act to amend, revise, and codify sections ten hundred twenty-eight (1028) to ten hundred thirty (1030), inclusive, and sections ten hundred thirty-two (1032), ten hundred thirty-five (1035), and ten hundred thirty-six (1036) of the compiled code of Iowa, relating to houses of prostitution.

Also, that the Senate has concurred in the following:

House Concurrent Resolution No. 8, a resolution to invite the Hon. L. J. Dickinson to address the members of the General Assembly at 11:30 a. m. today.

L. W. AINSWORTH, *Secretary*.

#### CONSIDERATION OF BILLS

House File No. 108, a bill for an act to amend, revise, and codify sections two thousand six hundred thirty-five (2635) to two thousand six hundred thirty-eight (2638), inclusive, of the

compiled code of Iowa, relating to education, with report of committee recommending passage, was taken up for consideration.

Williams of Montgomery moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Garber of Adair	Lieberknecht	Rust
Blake	Gesman	Long	Schirmer
Blume	Gilbert	Lovrien	Schulte
Bradley	Gilbertson	McClune	Scott of
Brittain	Gilmore	Mathews	Appanoose
Buffington	Graham	Miller	Scott of Fremont
Carter	Grimwood	Moen	Slemmons
Clark	Harrison	Napier	Smith of
Colbert	Hattendorf	Natvig	Chickasaw
Cole	Held	O'Donnell	Smith of Lucas
Criswell	Hempel	Orr	Stookesberry
Dewar	Henderson	Parsons	Strippel
Diltz	Himebauch	Patterson	Ulstad
Dooley	Hollis	Peterson	Venard
Doolittle	Huff	Potts	Vincent
Dotts	Johnson	Powers	Wamstad
Edge	King	Quirk	Weber
Edson	Knutson	Rankin	Williams
Elliott	Lake	Rassler	Wilson
Fackler	Leonard	Rewoldt	Wolfe
Gallagher	Letts	Rhinehart	Mr. Speaker—84
	Lichty	Robson	

The nays were:

Oliver—1

Absent or not voting:

Aiken	Frahm	Matthiesen	Sampson
Berry	Garber of Floyd	Noble	Saunders
Brady	Gibson	Olson	Stock
Children	Hansen	Ontjes	Storey
Donhowe	Hauge	Ramsey	Yenter—23
Forsling	Healy	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 130, a bill for an act to amend, revise, and codify section thirty-one hundred thirty-one (3131) of the compiled code of Iowa, and sections thirty-one hundred thirty (3130) and thirty-two hundred forty-one-a three (3241-a3) of the supplement to said code, relating to the powers and duties of boards

of supervisors, with report of committee recommending passage, was taken up for consideration.

Slemmons of Buchanan offered the following amendments:

Amend House File No. 130 as follows:

By adding thereto as subsection 18, the following:

To appoint commissioners to act with similar commissioners duly appointed in any other county or counties, and to authorize them to lay out, alter or discontinue any highway extending through their own and one or more other counties, subject to the ratification of the board.

By adding as subsection 19 the following:

To lay out, establish, alter or discontinue any highway heretofore laid out, or hereafter to be laid through or within the county, as may be provided by law.

By adding as subsection 20 the following:

To provide for the erection of all bridges which may be necessary, and which the public convenience may require, within their respective counties, and to keep the same in repair, except as is otherwise provided by law.

By adding as subsection 21 the following:

To have and exercise all the powers in relation to the poor given by law to the county authorities, except as otherwise provided by law.

Patterson of Kossuth moved that action on House File No. 130 be deferred.

Motion prevailed.

#### SENATE FILE NO. 19 REFERRED TO COMMITTEE

Diltz of Polk moved that Senate File No. 19 be referred to the committee on military affairs.

Motion prevailed.

By unanimous consent, House File No. 268, a bill for an act to amend, revise, and codify sections seventy-three hundred thirty-two (7332) and seventy-three hundred thirty-three (7333) of the compiled code of Iowa, relating to the statute of frauds, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Garber of Adair the amendments proposed by the committee were adopted.

Mr. Garber moved that the bill be read a third time now

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Frahm Gallagher	Lieberknecht Long	Robson Rust
Berry	Garber of Adair	Lovrien	Schirmer
Blake	Gesman	McClune	Schulte
Blume	Gibson	Mathews	Scott of Appanoose
Bradley	Gilbert	Miller	Scott of Fremont
Brittain	Gilbertson	Moen	Slemmons
Buffington	Gilmore	Napier	Smith of Chickasaw
Carter	Graham	Natvig	Smith of Lucas
Clark	Grimwood	Noble	Stookesberry
Colbert	Harrison	O'Donnell	Strippel
Cole	Hattendorf	Oliver	Ulstad
Criswell	Hempel	Orr	Venard
Dewar	Henderson	Parsons	Vincent
Diltz	Himebauch	Patterson	Wamstad
Dooley	Hollis	Peterson	Weber
Doolittle	Huff	Powers	Williams
Dotts	Johnson	Quirk	Wilson
Edge	King	Ramsey	Wolfe
Edson	Knutson	Rankin	Mr. Speaker—88
Elliott	Lake	Rassler	
Fackler	Leonard	Rewoldt	
Forsling	Letts	Rhinehart	

The nays were, none.

Absent or not voting:

Aiken	Hansen	Matthiesen	Sampson
Brady	Hauge	Oison	Saunders
Children	Healy	Ontjes	Stock
Donhowe	Held	Potts	Storey
Garber of Floyd	Lichty	Rumley	Yenter—20

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### REPORTS OF COMMITTEE

Graham of Wapello, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections to whom was referred House File No. 26, a bill for an act to amend, revise, and codify sections four hundred sixty-six (466) to four hundred sixty-eight (468), inclusive, four hundred seventy (470), four hundred seventy-one (471), four hundred seventy-three (473) to four hundred seventy-six (476), inclusive, four hundred seventy-nine (479) to four hundred eighty-one (481), inclusive, four hundred eighty-four (484), four hundred eighty-five (485), four hundred eighty-seven (487) to four hundred ninety (490), inclusive, and four hundred ninety-five (495) of the compiled code of Iowa, relating to the canvass of votes 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 do pass.

S. L. GRAHAM, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on elections to whom was referred House File No. 20, a bill for an act to amend, revise, and codify chapter one (1) of title four (4), and section eighty-four hundred fifty-six (8456) of the compiled code of Iowa, relating to time of holding elections and the term of the officers elected thereat, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by inserting in line three (3) of section seventeen (17) after the word "attorney," the words "county superintendent of schools,".

S. L. GRAHAM, *Chairman*.

#### MINORITY REPORT

MR. SPEAKER: The undersigned members of the committee on elections beg leave to submit the following report:

We recommend that House File No. 20 be reported back to the House with the recommendation that the same do pass, without amendment.

L. V. CARTER,  
S. L. GRAHAM,  
G. E. HELD,  
W. T. GILMORE,  
C. A. HOLLIS.

Ordered passed on file.

Oliver of Monona moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

Motion prevailed and the Speaker appointed as such committee, Oliver of Monona, Noble of Muscatine and Frahm of Carroll.

Oliver of Monona, from the committee appointed to notify the Senate that the House was ready to receive it in joint convention, reported that it had performed its duty.

Report accepted and the committee discharged.

The Sergeant-at-arms announced the arrival of the President of the Senate, the Secretary of the Senate, and the honored body of the Senate.

The President of the Senate was escorted to the Speaker's station, the Secretary to the chief clerk's desk, and the members of the Senate took seats on the west side of the chamber.

#### JOINT CONVENTION

As per concurrent resolution duly adopted, the joint convention was called to order, Lieutenant-governor John Hammill, President of the Senate, presiding.

The President announced a quorum present and the joint convention duly organized.

Patterson of Kossuth moved that a committee of three be appointed to escort the Hon. L. J. Dickinson, member of Congress from the tenth congressional district of Iowa, to the Speaker's station.

Motion prevailed and the President appointed as such committee, Representatives Patterson of Kossuth and Parsons of Calhoun, and Senator Adams of Kossuth.

Mr. Dickinson was escorted to the Speaker's station and addressed the joint convention.

Hauge of Polk moved that the remarks of the Hon. L. J. Dickinson be printed in the Journal.

Motion prevailed.

#### REMARKS OF HON. L. J. DICKINSON

It seems to me that I ought to feel perfectly at home up here. You have two of my constituents whom I try to serve right before me, and there is no reason for feeling embarrassed in this company. It is a great pleasure for me to come out into Iowa at this time of the year.

We have many cross currents down in the national halls of Congress and I presume that you have a few of them here. I want to call your attention to the fact, however, that here in the Iowa Assembly you have ninety-nine counties, all of them with almost like interests, and therefore, you ought to have a much more harmonious program than we have. I have noticed here that you do not have a division in the center of the aisle like we have there, and when the vote is as close as it is now in both the House and the Senate, no one knows just what the program is going to be or whether they can carry it out after organized.

However, I believe it is worth while for us to think of the state of Iowa. It is well for us to remember as representatives in both the assem-

bly here and in Washington, that Iowa is a grand old state, that she produces the best type of citizenship produced anywhere, we have a high percentage of efficient men and women and a low percentage on illiteracy, and therefore, we ought to be proud of coming from the grand old state of Iowa. Iowa has had its trials and tribulations. Everyone has been studying the problems of Iowa. We have found that there never has been a time in the history of our state or in the history of the United States when so many conscientious people have been conscientiously studying the problems of agriculture as there are now. Why? Because we have gone through a depression out here the like of which Iowa has not seen, but I still have faith in Iowa. I believe in her lands; I believe in her schools; in her finances; in her institutions all the way through, and it does me a lot of good when I go on some of the excursions from Washington and find that the first piece the orchestra always plays on the boat to Norfolk is "Iowa, out where the tall corn grows."

National legislation has been discussed a great deal recently and a great many theories are being presented as to what can be done for agriculture. The man or woman who presents the theory that all legislation can do is to help direct the course of economic conditions is presenting a theory that cannot work its cure immediately. To the man who has his pressing obligations and is unable to meet them, that change in economic theory cannot cure his condition. There is only one way that you can cure his condition, and that is to take the lid off the public treasury and tell him to help himself. For that reason, I am proud of the fact that a great many people in Iowa stood out against the price-fixing scheme and the request for special legislation along that line. Such a theory is economically unsound and cannot endure for a long time. It is therefore my hope that we may carry through a policy of sound legislation that we can point our fingers at in years to come and say that that legislation was economically sound and was passed with the purpose of helping out the farmer and the agricultural interests of this country to a place where they can protect themselves in the economic equation as it is worked out under this great government of ours.

The legislative relief now being suggested, and I believe is sound, is the Wallace export plan which I think ought to be passed and I believe will be passed. It has to do with controlling our exports; it has to do with making the tariff effective on certain commodities, mostly affecting the wheat, pork, beef and cotton situation. That being the case, if we can make the tariff effective it will cause a higher pro rata price for our raw product than we are now receiving in comparison with other prices—it will give us more for our commodity dollar.

The second thing we must do, is to encourage the farmer to make every effort, if you please, to control the price of his own commodity by commodity marketing. I believe that that scheme is feasible; I think it has been shown feasible in California among the fruit growers, the potato growers and the lettuce growers. If it can be worked out for those people, there is no reason why it cannot be worked out for the benefit of the corn grower in Iowa, when Iowa and Illinois produce practi-

cally 50 per cent of the corn marketed in this great country of ours. We hear talk about Pennsylvania being a great agricultural state of the east, but my congressional district, one-eleventh of the state of Iowa, produces eight million more bushels than the entire state of Pennsylvania, and my district produces over 100,000 more hogs for market than the entire state of Pennsylvania. Therefore, that is some item in the economic equation so far as the people of northern Iowa are concerned.

A great deal has been said about bloc legislation; a great deal of criticism to bloc legislation. I do not believe that any bloc could present a selfish program simply for the sole interest of the constituents of any representative district, but I do believe that the farmers have accepted conditions imposed upon them to where it is now necessary for them to launch an aggressive campaign in favor of their own interest, and for that campaign and to work out those economic problems, I will pledge my best efforts, and I shall continue to do that so long as I continue in my present office. The trouble with the blocs in Congress is, that they call everybody down there a farm blocker, whether sitting in the council or whether he has anything to do with the legislation we favor—everybody that happens to present a program that somebody wants to criticize.

The program, so far as presented by men making an effort to carry out policies for the benefit of the farming interests, is formulated after consultation with the best minds we have in agriculture, such men as the experts for the farm bureau and as we have in the agricultural department headed by Mr. Wallace; then the program is formulated into legislation. There is nothing selfish about the farm bloc and I do hope that it will never be necessary for the farmers to cover up their program and try to conceal anything, because they have worked above board everywhere. I also hope that it will never be necessary for them to acknowledge that the program that they have proposed is economically unsound or contrary to the basic principles upon which this government of ours was founded. For that reason, there are now two groups of men; one of them may be called more progressive than the other, or some may be said to be more radical than the other. One of them believes that we should rise to the emergency by adopting legislation that is not founded upon economic principles as we know them in this country of ours where we have been so prosperous and where, in a short number of years, we have grown to be the leading country in the world. Let us preserve our institutions, let us have faith in our people and in our lands, let us have faith in our institutions, and then let us sit down and work out our problems together, and when we do that you are going to have good results from the legislation that you will pass, both in the state and in the national bodies.

There are a great many problems that you are interested in out here, and I am interested in all of them. Many say to me, why can't you get legislation in Washington? Let me suggest that you are in the center of the saucer out here; that under the present plan the Atlantic ocean district has an advantage over the factory located in the Mississippi

valley. The Pacific ocean also has an advantage over this part of the country, with the result that the people interested in freight rates are only those that are in the center of the saucer out here in the Mississippi valley. We are the people who are interested in freight rates, but we cannot get the eastern fellow to see the imperativeness of the proposition, and for that reason it has been very hard for us to get any legislation that has to do with remedying some of the conditions that we know exist out here in the Mississippi valley. A great many people have suggested that we could pass legislation that would have more to do with the financing of agriculture. We have had a great deal of financing the last few years, and I believe that Congress has adopted a policy that is sane—that by the sale of your farm land bank bonds the rate of interest on farm mortgages shall be fixed by the money markets of the United States, and if the farmer has his rate of interest thus fixed, he is borrowing money on a parity with other interests that have to borrow money in competition with him, and that has been passed under the farm credit bill. In this state you have passed the county warehouse or sealers' act, and I know that in Kossuth county they are organizing boards and appointing local sealers for the supervision of the storage of grain and the issuance of certificates therefor. The owner may give this certificate as security against borrowing on that commodity, and it is helping them to carry their grain to a later date for a better price. Gradually these things will have an effect upon the farmers' interests from an economic standpoint. Gradually we can work these things out, and for that reason it is going to be almost impossible to say to a man now that legislation is a cureall for his condition and that therefore we can legislate him into prosperity. It cannot be a cureall for an economic condition. It can help to make it easier in many ways, but on the whole, you cannot legislate prosperity.

On the whole, I believe there is hope in the morrow, I believe we are gradually working out. There are a great many men who say that conditions are worse now than a year ago. I do not think they are worse, but we know more about them now than a year ago. A lot of obligations that might be paid this year we know cannot be paid, but I do believe that on the whole Iowa is going to be able to lift itself out of the depression, and for that reason I come out here, not as an apostle of gloom but as a messenger of sunshine, and I believe that there is always hope as long as we have fight left, and the Iowa farmer and the Iowa people always know how to fight their battles. For that reason, it is my impression that we have hope in the morrow and that we want to regain our confidence in Iowa, her laws, her peoples and her institutions.

Senator Stoddard moved that the joint convention be now dissolved.

Motion prevailed.

#### HOUSE RESUMED SESSION

The House reconvened, Speaker Anderson in the chair.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE  
FILE NO. 75

As a conference committee on Senate File No. 75, the Speaker appointed the following members on the part of the House: Vincent of Guthrie, Garber of Adair, Saunders of Palo Alto and Bradley of Poweshiek.

BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this sixteenth day of January, 1924, sent to the Governor for his approval: House File No. 74.

C. F. LETTS, *Chairman.*

Report adopted.

AMENDMENT FILED

Stemmons of Buchanan filed the following amendment to the committee amendments to House File No. 66:

Amend the committee amendments to House File No. 66 by striking therefrom all of amendment No. 2 and inserting in lieu thereof the following:

2. Amend section 10 by striking out all of said section after the word "fix," in the second line thereof, and inserting in lieu thereof the following: "but said salary shall in no event be more than five thousand dollars (\$5,000.00) per year."

On motion of Smith of Lucas the House adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 17, 1924.

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

Prayer was offered by the Rev. R. J. Vandervoort, pastor of the M. E. church, Reinbeck, Iowa.

Journal of January 16th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Ramsey of Butler for the day, on request of Blake of Fayette.

## REPORTS OF COMMITTEES

Schirmer of Jackson, from the committee on conservation of resources, submitted the following report:

MR. SPEAKER: Your committee on conservation of resources to whom was referred House File No. 116, a bill for an act to amend, revise and codify sections two thousand seven hundred eighty-eight (2788) to two thousand seven hundred ninety-three (2793), inclusive, of the compiled code of Iowa, relating to education and the Iowa geological survey, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section ten (10) by striking out of lines five (5) and six (6) the following words: "including the publication of reports and bulletins, but."

Also by striking the period (.) at the end of section ten (10) and adding the following words: "until July first, nineteen hundred twenty-five (1925)."

Also by inserting after the word "actual" in line two (2) of section ten (10) the words "and necessary"; and by inserting after the second word "The" of section ten (10) in line three (3) before the word "field" the words "actual and necessary".

W. F. SCHIRMER, *Chairman.*

Report adopted.

Forsling 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. 180, a bill for an act to amend, revise, and codify sections four thousand seventy-one (4071), four thousand seventy-two (4072) and four thousand seventy-three (4073) of the compiled code of Iowa, relating to municipal 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, and when so amended the bill do pass:

1. Amend section 4 by striking from line 2 thereof the words "a reputable attorney" and inserting in lieu thereof the words "an attorney-at-law showing".

2. Further amend section 4 by striking the period (.) at the end of said section and inserting in lieu thereof a comma (,) and by adding the following: "and from the recorder of the county that the title in fee is in such proprietor and that it is free from incumbrance or free from incumbrance other than that secured by the bond provided for in the second succeeding section, as shown by the records of his office."

3. Amend section 7 by inserting after the word "clerk" in line 2, a comma (,) and after said comma (,) the word "recorder".

4. Further amend section 7 by inserting before the word "shall" in line 3 the following: "together with the certificate of approval of the city council,".

5. Amend section 6 by striking therefrom the first three lines and the first word of the fourth line and by inserting in lieu thereof the following: "The proprietor shall then execute and file with the recorder a bond in double the amount of the incumbrance, which bond shall be approved by the recorder and clerk of the district court. If the surety is other than a surety company authorized to do business in Iowa, the surety shall be a resident of the state, worth double the sum of the bond, beyond the amount of his debts, and owner of real estate liable to execution in the state equal to double the amount of the bond. Two or more sureties may in the aggregate qualify as provided in this section."

6. Amend by adding to said bill as sections 8, 9, 10 and 11, the following: "That section forty hundred seventy-nine (4079) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 8. Plat by auditor.

Whenever the original proprietor of any subdivision of land has sold or conveyed any part thereof, or invested the public with any rights therein, and has failed and neglected to execute and file for record a plat as provided in this chapter, the county auditor shall by mail or otherwise notify some or all of such owners, and demand its execution. If such owners, whether so notified or not, fail and neglect for thirty days after the issuance of such notice to execute and file said plat for record, the auditor shall cause one to be made, making any survey necessary therefor.

C.C. 4079, lines 1-9.

**Sec. 9. Execution and filing—effect.**

Said plat shall be signed and acknowledged by the auditor, who shall certify that he executed it by reason of the failure of the owners named to do so, and file it for record in his office and in the office of the county recorder, and when so filed it shall have the same effect as if executed, acknowledged, and recorded by the owners.

C.C. 4079, lines 9-14.

**Sec. 10. Costs and expenses.**

A correct statement of the costs and expenses of such plat, survey, and record, verified by oath, shall be by the auditor laid before the board of supervisors, which shall allow the same.

C.C. 4079, lines 14-17.

**Sec. 11. Assessment of costs.**

The auditor shall at the same time assess the amount pro rata upon the several subdivisions of said tract, lot or parcel so subdivided, and it shall be collected in the same manner as general taxes, and shall go to the general county fund; or said board may direct suit to be brought in the name of the county to recover from the original proprietor such cost and expense.

C.C. 4079, lines 17-23.

7. Further amend by adding thereto as sections 12 and 13, the following:

"That section forty hundred eighty-two (4082) of the compiled code of Iowa is amended, revised, and codified to read as follows:

**Sec. 12. Resurvey of town plats.**

In all cases where the original plat of any city, town, or village, or any addition thereto, has been or may be lost or destroyed after the sale and conveyance of any subdivision, block or lot thereof by the original proprietor and before the same shall have been recorded, or the property so platted has been indefinitely located or the plat is defective in any manner, any three persons owning real property within the limits of such plat may have the same resurveyed and replatted, and such plat recorded as hereinafter directed. In no case shall such plat or replat be made and recorded as hereinafter directed, without the consent in writing, endorsed thereon, of the original proprietor, if he be alive, and known.

That section forty hundred eighty-five (4085) of the compiled code of Iowa is amended, revised, and codified to read as follows:

**Sec. 13. Contesting.**

Any person may at any time within six months from the date of its filing for record, commence an action in equity against the persons employing the surveyor, setting up his cause of complaint and asking that such record be cancelled. If it appears on the trial that the city, town or village or addition was originally laid out and platted; that the original proprietor had sold any or all of the lots thereof, or that he intended to

dedicate to the public the streets, alleys, or public squares therein; that the plat thereof has never been recorded, but is lost, or that the plat was indefinitely located or defective in any manner; that the proprietor is dead or his place of residence unknown; and that the resurvey and plat for record is a substantially accurate survey and plat of the original plat of such city, town, village or addition, then the action shall be dismissed at the cost of the complainants, otherwise the court shall set aside said plat and cancel the same of record at the cost of the defendant."

8. Further amend by adding thereto as section fourteen (14), the following:

Sec. 14. Publication clause.

"This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines News and the Plain Talk, newspapers published in the city of Des Moines, Iowa, without expense to the state."

9. Amend the title to read as follows:

"A bill for an act to amend, revise, and codify sections four thousand seventy-one (4071), four thousand seventy-two (4072), four thousand seventy-three (4073), four thousand seventy-nine (4079), four thousand eighty-two (4082), and four thousand eighty-five (4085) of the compiled code of Iowa, relating to municipal corporations."

L. B. FORSLING, *Chairman*.

Report adopted.

Carter of Hardin, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred House File No. 110, a bill for an act to amend, revise, and codify sections two thousand six hundred fifty-three (2653), and two thousand six hundred fifty-eight (2658) of the compiled code of Iowa, and sections two thousand six hundred fifty (2650) and two thousand six hundred sixty (2660) of the supplement to said code, 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 as follows, and when so amended the bill do pass:

Amend section one (1) by striking out all of subsection two (2); also by renumbering subsection three (3) as two (2).

Amend section one (1), line seven (7), by striking out the words and figures "one hundred dollars (\$100.00)" and inserting in lieu thereof the words and figures "ninety dollars (\$90.00)".

Amend section three (3), line four (4), by striking out after the word "law" the comma (,) and the word "and", and by inserting in lieu thereof the following: "; also".

L. V. CARTER, *Chairman*.

Report 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. 15, a bill for an act to amend, revise, and codify chapter thirteen (13), title two (2), of the compiled code of Iowa and of the supplement to said code; also sections seven hundred fourteen (714) and seven hundred fifteen (715) of said code, and section one hundred eighteen-a one (118-a1) of the supplement to said code, relating to the filing and auditing of claims against the state.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 99, a bill for an act to amend, revise, and codify sections two thousand four hundred seventy-eight (2478) to two thousand four hundred eighty (2480), inclusive, two thousand four hundred eighty-four (2484), two thousand four hundred eighty-nine (2489), two thousand four hundred ninety (2490), and two thousand five hundred (2500) to two thousand five hundred five (2505), inclusive, of the compiled code of Iowa, and section three thousand two hundred thirty-one-a thirteen (3231-a13) of the supplement to said code, relating to education.

L. W. AINSWORTH, *Secretary.*

## SENATE MESSAGES CONSIDERED

Senate File No. 15, a bill for an act to amend, revise, and codify chapter thirteen (13), title two (2), of the compiled code of Iowa and of the supplement to said code; also sections seven hundred fourteen (714) and seven hundred fifteen (715) of said code, and section one hundred eighteen-a one (118-a1) of the supplement to said code, relating to the filing and auditing of claims against the state.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 99, a bill for an act to amend, revise, and codify sections two thousand four hundred seventy-eight (2478) to two thousand four hundred eighty (2480), inclusive, two thousand four hundred eighty-four (2484), two thousand four hundred eighty-nine (2489), two thousand four hundred ninety (2490), and two thousand five hundred (2500) to two thousand five hundred five (2505), inclusive, of the compiled code of Iowa, and section three thousand two hundred thirty-one-a thirteen (3231-a13) of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 278 and 280.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 278 and 280.

#### CONSIDERATION OF BILLS

On motion of Clark of Linn, Senate File No. 229 was recalled from the committee on judiciary and substituted for House File No. 229.

Senate File No. 229, a bill for an act to amend, revise, and codify sections seven thousand two hundred three (7203), seven thousand two hundred eight (7208), seven thousand two hundred nine (7209), seven thousand two hundred twelve (7212), seven thousand two hundred eighteen (7218), and seven thousand two hundred twenty-two (7222) of the compiled code of Iowa, relating to pleadings, was taken up for consideration.

Diltz of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Bradley	Colbert	Dooley
Anderson of	Brady	Cole	Doolittle
Webster	Brittain	Criswell	Dotts
Berry	Buffington	Dewar	Edge
Blake	Carter	Diltz	Edson
Blume	Clark	Donhowe	Elliott

Fackler	Hollis	Orr	Scott of
Forsling	Johnson	Parsons	Appanoose
Frahm	King	Patterson	Slemmons
Gallagher	Knutson	Peterson	Smith of
Garber of Adair	Leonard	Potts	Chickasaw
Gesman	Letts	Powers	Stock
Gibson	Lichty	Quirk	Stookesberry
Gilbert	Lieberknecht	Rankin	Storey
Gilbertson	Long	Rassler	Strippel
Gilmore	Lovrien	Rewoldt	Venard
Graham	McClune	Rhinehart	Vincent
Grimwood	Miller	Robson	Wamstad
Hattendorf	Moen	Rumley	Weber
Hauge	Napier	Rust	Williams
Healy	Natvig	Sampson	Wilson
Held	Noble	Saunders	Wolfe
Hempel	O'Donnell	Schirmer	Mr. Speaker—95
Henderson	Oliver	Schulte	
Himebauch	Ontjes	Scott of Fremont	

The nays were, none.

Absent or not voting:

Children	Huff	Olson	Yenter—13
Garber of Floyd	Lake	Ramsey	
Hansen	Mathews	Smith of Lucas	
Harrison	Matthiesen	Ulstad	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Gibson of Clarke moved that the rule be suspended prohibiting the consideration of odd-numbered House bills at this time.

On the question "Shall the rule be suspended prohibiting the consideration of odd-numbered House bills?" a roll call was demanded.

The ayes were:

Bradley	Gilbert	Moen	Smith of
Buffington	Grimwood	O'Donnell	Chickasaw
Carter	Healy	Ontjes	Stock
Clark	Held	Parsons	Strippel
Dewar	Himebauch	Peterson	Venent
Donhowe	Hollis	Powers	Weber
Dotts	King	Rhinehart	Williams
Edson	Letts	Robson	Wilson—40
Forsling	Lichty	Rust	
Gallagher	Lieberknecht	Saunders	
Gibson	Long	Schirmer	

The nays were:

Aiken	Blake	Colbert	Fackler
Anderson of	Blume	Criswell	Frahm
Webster	Brady	Dooley	Gesman
Berry	Brittain	Edge	Gilbertson

Harrison	Leonard	Patterson	Scott of Fremont
Hattendorf	Lovrien	Potts	Slemmons
Hauge	Mathews	Rankin	Smith of Lucas
Hempel	Miller	Rassler	Stookesberry
Henderson	Napier	Rewoldt	Ulstad
Huff	Noble	Rumley	Venard
Johnson	Oliver	Scott of	Wamstad
Knutson	Orr	Appanoose	Wolfe—46

## Absent or not voting:

Children	Garber of Floyd	Matthiesen	Schulte
Cole	Gilmore	Natvig	Storey
Diltz	Graham	Olson	Yenter
Doolittle	Hansen	Quirk	Mr. Speaker—22
Elliott	Lake	Ramsey	
Garber of Adair	McClune	Sampson	

The motion to suspend the rule was lost.

By unanimous consent, Senate File No. 149 was recalled from the committee on county and township organization and substituted for House File No. 149.

Senate File No. 149, a bill for an act to amend, revise, and codify section thirty-three hundred eighty-five (3385) of the compiled code of Iowa, relating to land surveys, was taken up for consideration.

Parsons of Calhoun offered the following substitute amendments:

Amend Senate File No. 149 by striking therefrom all after the enacting clause and substituting in lieu thereof the following:

"Section 1. The law as it appears in sections thirty-three hundred eighty-five (3385) to thirty-three hundred ninety-three (3393), inclusive, and section thirty-three hundred ninety-nine (3399) of the compiled code of Iowa is hereby repealed.

Sec. 2. The law as it appears in subsection twenty-four (24) of section thirty-one hundred thirty (3130) of the supplement to the compiled code of Iowa is hereby repealed."

Parsons of Calhoun offered the following amendments to his substitute amendments and moved their adoption:

Amend by adding the following as sections three (3) and four (4):

Sec. 3. That the law as it appears in section four thousand eighty-three (4083) of the compiled code of Iowa be amended by striking out of line one (1) thereof the word "surveyor" and inserting in lieu the word "engineer".

Sec. 4. That the code commissioners be and they are hereby instructed to substitute the words "county engineer" for the words "county surveyor" wherever the same appears in the compiled code of Iowa.

Amendments to the substitute amendments adopted.

On motion of Mr. Parsons the substitute amendments, as amended, were adopted.

Smith of Chickasaw moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Fackler	Long	Rust
Anderson of	Forsling	Lovrien	Sampson
Webster	Gallagher	McClune	Saunders
Berry	Garber of Floyd	Mathews	Schirmer
Blume	Gesman	Miller	Schulte
Bradley	Gibson	Moen	Scott of
Brady	Gilbert	Napier	Appanoose
Brittain	Gilbertson	Natvig	Scott of Fremont
Buffington	Gilmore	Noble	Slemmons
Carter	Graham	Ontjes	Smith of
Colbert	Grimwood	Orr	Chickasaw
Cole	Hattendorf	Parsons	Smith of Lucas
Criswell	Hauge	Patterson	Stock
Dewar	Held	Peterson	Storey
Diltz	Hempel	Potts	Strippel
Donhowe	Hollis	Powers	Venard
Doolittle	Johnson	Quirk	Vincent
Dotts	King	Rankin	Weber
Edge	Leonard	Rewoldt	Wilson
Edson	Letts	Rhinehart	Wolfe
Elliott	Lieberknecht	Robson	Mr. Speaker—81

The nays were:

Blake	Knutson	Rassler	Wamstad
Frahm	Oliver	Stookesberry	Williams—9
Himebauch			

Absent or not voting:

Children	Harrison	Lichty	Rumley
Clark	Healy	Matthiesen	Ulstad
Dooley	Henderson	O'Donnell	Yenter—18
Garber of Adair	Huff	Olson	
Hansen	Lake	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House.

Parsons of Calhoun offered the following amendment to the title and moved its adoption:

Amend the title to Senate File No. 149 by striking out all of said title and substituting in lieu thereof the following:

"A bill for an act to repeal sections thirty-three hundred eighty-five (3385) to thirty-three hundred ninety-three (3393), inclusive, and section

thirty-three hundred ninety-nine (3399) of the compiled code of Iowa, and subsection twenty-four (24) of section thirty-one hundred thirty (3130) of the supplement to said code, and to amend section four thousand eighty-three (4083) of the compiled code of Iowa, relating to land surveys and county surveyors."

Amendment adopted and the title, as amended, was agreed to.

Edson of Buena Vista moved that Senate File No. 127 be recalled from the committee on roads and highways and substituted for House File No. 127.

Motion prevailed.

Senate File No. 127, a bill for an act to amend, revise, and codify chapter fourteen (14) of title eleven (11) of the compiled code of Iowa, relating to road improvement associations, was taken up for consideration.

Mr. Edson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Lovrien	Saunders
Anderson of	Gallagher	McClune	Schirmer
Webster	Garber of Adair	Mathews	Schulte
Berry	Gibson	Miller	Scott of
Blake	Gilbert	Napier	Appanoose
Bradley	Gilbertson	Natvig	Scott of Fremont
Brady	Gilmore	Noble	Smith of
Brittain	Graham	O'Donnell	Chickasaw
Buffington	Grimwood	Oliver	Stock
Carter	Hauge	Ontjes	Storey
Clark	Healy	Parsons	Strippel
Colbert	Held	Patterson	Venard
Cole	Hempel	Peterson	Vincent
Criswell	Henderson	Potts	Wamstad
Dewar	Himebauch	Powers	Weber
Diltz	Hollis	Quirk	Williams
Dooley	Johnson	Rassler	Wilson
Doolittle	King	Rewoldt	Wolfe
Dotts	Knutson	Rhinehart	Mr. Speaker—82
Edson	Letts	Robson	
Elliott	Lichty	Rust	
Fackler	Long	Sampson	

The nays were:

Blume                      Stookesberry—2

## Absent or not voting:

Children	Hansen	Lieberknecht	Rankin
Donhowe	Harrison	Matthlesen	Rumley
Edge	Hattendorf	Moen	Slemmons
Frahm	Huff	Olson	Smith of Lucas
Garber of Floyd	Lake	Orr	Ulstad
Gesman	Leonard	Ramsey	Yenter—24

So the bill having received a constitutional majority was declared to have passed the House 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. 274, a bill for an act to amend, revise, and codify sections ninety-two hundred eighty-seven (9287), ninety-three hundred fifty-two (9352) and ninety-three hundred eighty-nine (9389) of the compiled code of Iowa, relating to indictments, trial information, and demurrers thereto.

Also, 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 to amend, revise, and codify sections ten hundred twenty-one (1021) and ten hundred twenty-two (1022) of the compiled code of Iowa, relating to railways and to offenses thereon, and to the right to remove intoxicated persons therefrom.

Also, 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 amend, revise, and codify sections fifty-two hundred one (5201), fifty-two hundred five (5205), fifty-two hundred twenty (5220) to fifty-two hundred twenty-two (5222), inclusive, of the compiled code of Iowa, relating to regulation of carriers.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 195, a bill for an act to amend, revise, and codify section fifty hundred ninety-two (5092) of the compiled code of Iowa, and sections fifty-two hundred forty-one (5241) and fifty-two hundred forty-one-a one (5241-a1) of the supplement to said code, relating to steam and interurban railway crossings at grade and the duty of employees.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 189, a bill for an act to amend, revise, and codify chapter two (2) of title sixteen (16) of the compiled code of Iowa, and of the supplement to said code, relating to commerce counsel.

Also, that the Senate refuses to concur in the House amendments to the following bill:

Senate File No. 241, a bill for an act to amend, revise, and codify sections eight thousand one hundred sixty (8160), eight thousand one hundred sixty-one (8161), eight thousand one hundred sixty-six (8166), and eight thousand one hundred seventy-eight (8178) of the compiled code of Iowa, relating to foreclosure and release of mortgages, and sales under pledge.

Also, that the Senate has concurred in the House amendments to the following bill:

Senate File No. 267, a bill for an act to repeal paragraphs twenty-three (23) and twenty-four (24) of section sixty-nine hundred eighty-two (6982) of the supplement to the compiled code of Iowa, relating to the fees chargeable by the clerk of the district court.

Also, that the Senate refuses to concur in the House amendments to the following bill:

Senate File No. 273, a bill for an act to amend, revise, and codify section eighty-one hundred sixty-eight (8168) of the compiled code of Iowa, relating to the release of common law or statutory liens on personal property.

L. W. AINSWORTH, *Secretary*.

#### HOUSE INSISTS UPON AMENDMENTS

Clark of Linn moved that the House insist upon its amendments to Senate File No. 241. Motion prevailed.

Clark of Linn moved that the House insist upon its amendments to Senate File No. 273. Motion prevailed.

#### EXTRA COPIES OF HOUSE JOURNAL PRINTED

Clark of Linn moved that the chief clerk be authorized to order one thousand extra copies of the corrected Journal of January 16th. Motion prevailed.

#### SENATE MESSAGES CONSIDERED

Senate File No. 265, a bill for an act to amend, revise, and codify sections ten hundred twenty-one (1021) and ten hundred twenty-two (1022) of the compiled code of Iowa, relating to railways and to offenses thereon, and to the right to remove intoxicated persons therefrom.

. Read first and second times and referred to committee on railroads.

Senate File No. 195, a bill for an act to amend, revise, and codify section fifty hundred ninety-two (5092) of the compiled code of Iowa, and sections fifty-two hundred forty-one (5241)

and fifty-two hundred forty-one-a one (5241-a1) of the supplement to said code, relating to steam and interurban railway crossings at grade and the duty of employees.

Read first and second times and referred to committee on railroads.

Senate File No. 189, a bill for an act to amend, revise, and codify chapter two (2) of title sixteen (16) of the compiled code of Iowa, and of the supplement to said code, relating to commerce counsel.

Read first and second times and referred to committee on railroads.

Senate File No. 197, a bill for an act to amend, revise, and codify sections fifty-two hundred one (5201), fifty-two hundred five (5205), fifty-two hundred twenty (5220) to fifty-two hundred twenty-two (5222), inclusive, of the compiled code of Iowa, relating to regulation of carriers.

Read first and second times and referred to committee on railroads.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this seventeenth day of January, 1924, sent to the Governor for his approval: House Files Nos. 278 and 280.

C. F. LETTS, *Chairman*.

Report adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 163, 167 and 245.

C. F. LETTS, *Chairman House Committee*.

F. C. GILCHRIST, *Chairman Senate Committee*.

Report adopted.

## AMENDMENTS FILED

Clark of Linn filed the following amendment to the Senate amendments to House File No. 10:

Amend the Senate amendments to House File No. 10, by striking therefrom the amendment adding section seven (7) to the bill, as amended by the House, and substituting in lieu thereof the following:

"Sec. 7. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, the sum of two thousand dollars (\$2,000.00) annually, for the purpose of paying the expenses provided for in this act."

O'Donnell of Dubuque filed the following amendment to the committee amendments to House File No. 212:

Amend the committee amendments to House File No. 212 by striking out the period (.) at the end of section 58 and adding thereto the following: "but such lien shall be subject to all prior liens."

On motion of Hattendorf of Osceola the House adjourned until 10:00 a. m. Friday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 18, 1924.

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

Prayer was offered by Capt. C. H. Van Metre, chaplain of 133d Infantry, I. N. G., Garner, Iowa.

Journal of January 17th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Fackler of Adams indefinitely, on request of Napler of Ringgold; Scott of Fremont indefinitely, on request of Napler of Ringgold; Rankin of Lee until Monday, on request of Lovrien of Humboldt; Matthiesen of Clinton for today, on request of Frahm of Carroll.

## PETITIONS

Criswell of Boone presented a resolution from members of the Peoples church, Boone county, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Hempel of Clayton presented a resolution from the McGregor chapter of the Isaac Walton League of America urging the passage of House File No. 54 without amendments. Referred to committee on fish and game.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File No. 267.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## REPORT OF COMMITTEE

Forsling 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. 174, a bill for an act to amend, revise, and codify sections three thousand nine hundred ninety-five (3995), four thousand (4000), and four thousand one (4001) of the compiled code of Iowa, relating to municipal 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 do pass.

L. B. FORSLING, *Chairman.*

Report adopted.

## HOUSE CONCURRENT RESOLUTION NO. 9

Himebauch of Emmet offered the following concurrent resolution:

*Whereas, Agriculture is the basic industry of the United States, and*

*Whereas, Agriculture must depend on the price of the export portion of its products to determine the price of the whole, and*

*Whereas, Congress from time to time has recognized the needs of this great industry by enacting commendable and constructive measures, such as the Federal Farm Loan act, the War Finance Corporation act, the Intermediate Credit act, and the Federal Warehousing act, therefore*

*Be It Resolved by the House of Representatives, the Senate concurring:* That the recommendations of the Hon. Henry C. Wallace, Secretary of Agriculture, providing for the formation of an export corporation, is the most practicable plan yet offered for stabilizing the prices of agricultural products. We trust that the Congress of the United States will give these recommendations its immediate attention and careful consideration.

Laid over under rule 34.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on January 16th, approved House File No. 74.

## SPECIAL ORDERS MADE

On request of Slemmons of Buchanan, unanimous consent having been obtained, Calendar No. 3, House File No. 130, was made a special order for Tuesday, January 22d, at 11:00 a. m.

On request of Berry of Monroe, unanimous consent having

been obtained, Calendar No. 4, House File No. 20, was made a special order for Wednesday, January 23d, at 10:30 a. m.

#### APPOINTMENT OF CONFERENCE COMMITTEES

As a conference committee on Senate File No. 273, the Speaker appointed the following members on the part of the House: Doolittle of Delaware, Rankin of Lee, Rewoldt of Bremer and Oliver of Monona.

As a conference committee on Senate File No. 241, the Speaker appointed the following members on the part of the House: Diltz of Polk, Lovrien of Humboldt, Elliott of Scott and Edson of Buena Vista.

#### EXTRA COPIES OF SUBSTITUTE BILL PRINTED

On request of Knutson of Cerro Gordo, unanimous consent having been obtained, 500 copies of the proposed substitute for House File No. 54, by the committee on fish and game, were ordered printed.

On motion of Carter of Hardin the House adjourned until 4:30 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### REPORTS OF COMMITTEES

Clark of Linn, 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, revise, and codify sections six thousand nine hundred eight (6908) and six thousand nine hundred eleven (6911) of the compiled code of Iowa, relating to superior courts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section one (1) by inserting before the word "established" in line six (6) thereof, the word "deemed".

Amend section two (2), line two (2), by striking out the words "the first Monday in January" and inserting in lieu thereof the words "the day following the first Monday in May".

Amend by striking out section three (3) and inserting in lieu thereof the following:

"Sec. 3. Judges—terms of office—commission.

Each judge hereafter elected shall hold office for four years from the first Monday in May next succeeding his election and shall be elected at the regular municipal election next preceding the expiration of the term of the incumbent as herein extended. The term of each present incumbent is extended until the first Monday in May next succeeding the city election first following the expiration of the term for which he was elected. The mayor shall transmit his certificate of election of such judge to the governor who shall thereupon issue to him the commission empowering him to act as judge."

Amend the bill by adding thereto the following:

"Sec. 5. In case of vacancy in said office for sixty days or more, a district judge of the county may on application of any party to any proceeding pending in the superior court enter an order directed to the clerk of that court or his deputy or the acting clerk, directing such clerk to forthwith transmit to said district court the files and exhibits in said cause, together with a certified copy of the record in said cause, and thereupon said cause shall be disposed of in the district court as though originally brought therein."

Amend the bill by adding thereto the following:

"That section six thousand nine hundred thirty-four (6934) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 6. Question of abolishing court to be submitted.

Upon the filing with the city clerk of the petition of two hundred of the qualified electors of any city in which a superior court is now or hereafter established, the mayor shall at least ten days before any general election or election for city officers, issue a proclamation submitting to the qualified voters of said city the proposition to abolish the superior court. The ballots shall be printed in the following form: "Shall the proposition to abolish the superior court of ..... be adopted?", and the election shall be conducted in all respects in accordance with the provisions of the election law."

Amend the title by striking out the word "and" following the figures "(6908)" and inserting in lieu thereof a comma; also by inserting after the figures "(6911)" the following: "and six thousand nine hundred thirty-four (6934)".

C. F. CLARK, *Chairman.*

Report adopted.

Forsling 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. 172, a bill for an act to amend, revise, and codify sections three thousand nine hundred sixty-six (3966) to three thousand nine hundred sixty-nine (3969), inclusive, three thousand nine hundred seventy-two (3972), three thousand nine hundred seventy-six (3976), and

three thousand nine hundred seventy-seven (3977) of the compiled code of Iowa, and section four thousand six (4006) of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

1. Amend section 12 by striking the period (.) following the word "public" in line 4 and inserting in lieu thereof the following: "for similar service."

2. Amend section 13 by striking the word "appointment" in lines 4 and 5 of said section and inserting in lieu thereof the word "appointments".

3. Amend section 11 by striking the words "of railroad commissioners" in line 5 and inserting in lieu thereof the following: "having jurisdiction thereof".

4. Amend section 6 by striking the period (.) at the end of said section and adding thereto the following: ", but not more than one utility may be acquired when such municipality is indebted in excess of the statutory limitation of indebtedness."

L. B. FORSLING, *Chairman*

Report adopted.

Harrison of Pottawattamie, from the committee on printing, submitted the following report:

MR. SPEAKER: Your committee on printing to whom was referred Senate File No. 145, a bill for an act to amend, revise, and codify chapter seventeen (17) of title twelve (12) of the compiled code of Iowa relating to official newspapers, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

E. P. HARRISON, *Chairman*.

Report adopted.

Gibson of Clarke, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 134, a bill for an act to amend, revise, and codify sections thirty-one hundred eighty-nine (3189), thirty-one hundred ninety (3190), thirty-one hundred ninety-two (3192), and thirty-one hundred ninety-three (3193) of the compiled code of Iowa, relating to county attorneys, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

1. Amend section two (2) by striking therefrom all of subsection eleven (11) and renumbering subsection twelve (12) as eleven (11).

2. Amend section two (2), subsection seven (7), by striking out of line 28 thereof the words "or county" and substituting in lieu thereof the

words " , county, school or township". Also amend lines 29 and 30 of same section by striking out the words "or county" and substituting therefor the words " , county, school or township".

3. Amend section four (4), lines four (4) and five (5), by striking out the words "an attorney".

4. Amend section eleven (11), line three (3), by striking out the words "court or judge" and inserting in lieu thereof the words "board of supervisors".

5. Amend section eleven (11) by inserting after the word "commissioners" in line two (2) the words "and reporters". Also strike out all of the last sentence of section 11.

D. M. GIBSON, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on county and township organization to whom was referred Senate File No. 129, a bill for an act to amend, revise, and codify sections thirty-one hundred fifteen (3115), thirty-one hundred twenty-four (3124), seven hundred thirteen (713) and thirty-one hundred twenty-seven (3127) of the compiled code of Iowa, relating to boards 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.

D. M. GIBSON, *Chairman*.

Report adopted.

Sampson of Audubon, from the committee on departmental affairs, submitted the following report:

MR. SPEAKER: Your committee on departmental affairs to whom was referred Senate File No. 17, a bill for an act to amend, revise, and codify chapter fifteen (15) of title two (2) of the supplement to the compiled code of Iowa, relating to deputies for certain state 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.

F. C. SAMPSON, *Chairman*.

Report adopted.

Also :

MR. SPEAKER: Your committee on departmental affairs to whom was referred House File No. 14, a bill for an act to amend, revise, and codify sections two hundred forty-nine (249) to two hundred fifty-six (256), inclusive, two hundred fifty-eight (258) to two hundred sixty-one (261), inclusive, two hundred sixty-three (263) to two hundred sixty-nine (269), inclusive, two hundred seventy-two (272), and two hundred seventy-three (273) of the compiled code of Iowa, and sections two hundred forty-eight

(248) and two hundred sixty-two (262) of the supplement to said code, relating to the executive council and to the powers, duties, and employees 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, and when so amended the bill do pass:

Amend section 11 by striking out of line five (5) the words "or against".

Amend section 15 by inserting after the word "proceedings" in line four (4) the following: "and the secretary of the council shall at once file a copy of such proceedings with the auditor and treasurer of state".

Amend section 37 by inserting at the end of the paragraph in line three (3) the following: "This appropriation shall terminate on and after June thirtieth, nineteen hundred twenty-five (1925)."

F. C. SAMPSON, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on departmental affairs to whom was referred House File No. 60-A, a bill for an act to amend, revise, and codify sections twelve hundred forty-four-a one (1244-a1), twelve hundred forty-four-a fourteen (1244-a14), and twelve hundred forty-four-a fifteen (1244-a15) of the supplement to the compiled code of Iowa, relating to the board of accountancy, beg leave to report they have 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. SAMPSON, *Chairman*.

Passed on file.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 163, 167, 245 and 267.

#### AMENDMENTS FILED

Clark of Linn filed the following committee amendments to House File No. 212:

MR. SPEAKER: Your committee on judiciary recommends that House File No. 212 be amended as follows:

Amend by striking out all of section 27, and inserting in lieu thereof the following:

"Sec. 27. Priority over other liens.

Mechanics' liens shall be preferred to all other liens which may attach to or upon any building, and to the land upon which it is situated, except

liens of which the contractor or subcontractor, as the case may be, has notice before the commencement of the work or the furnishing of material; but the rights of purchasers, incumbancers, and other persons who acquire interests in good faith and for a valuable consideration, and without notice, after the expiration of the time for filing claims for such liens, shall be prior to the claims of all contractors or subcontractors who have not, at the dates such rights and interests were acquired, filed their claims for such liens."

C. F. CLARK, *Chairman.*

On motion of Venard of Sioux the House adjourned until 10:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 19, 1924.

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

Prayer was offered by the Rev. Wayne Lee Waters, pastor of the Waveland Park church, Des Moines, Iowa.

Journal of January 18th corrected and approved.

## PETITION

Wilson of Tama presented a request from the president of the Tama county pharmaceutical association urging indefinite postponement of House Files Nos. 260 and 262. Referred to committee on public health.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Lovrien of Humboldt for the day, on request of Brady of O'Brien; Aiken of Ida for the day, on request of Brady of O'Brien; Huff of Cass for the day, on request of Wolfe of Linn; Graham of Wapello for the day, on request of Rassler of Pocahontas; Carter of Hardin for the day, on request of Dotts of Wayne; Harrison of Pottawattamie for the day, on request of Moen of Lyon; Lieberknecht of Louisa for the day, on request of Wilson of Tama; Colbert of Union for the day, on request of Napier of Ringgold; Gilbert of Marshall for the day, on request of Grimwood of Jones; Garber of Adair for the day, on request of Hauge of Polk; Saunders of Palo Alto for the day, on request of Himebauch of Emmet; Dewar of Cherokee for the day, on request of Miller of Shelby.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 104, 122, 138 and 258.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 104, 122, 138 and 258.

## PROOF OF PUBLICATION OF SENATE FILE NO. 291

The official proof of publication of Senate File No. 291, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Fort Dodge, Iowa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## HOUSE FILE NO. 60-A INDEFINITELY POSTPONED

Sampson of Audubon moved that the report of the committee on departmental affairs, recommending indefinite postponement of House File No. 60-A, be adopted.

Motion prevailed. The report was adopted and House File No. 60-A was indefinitely postponed.

## HOUSE RESOLUTION

Moen of Lyon filed the following House resolution:

*Whereas*, It is the sense of the members of the House of Representatives that it is no longer practicable to continue the practice of confining the work of the House to bills bearing an even number; therefore,

*Be It Resolved by the House*. That all committees in whose hands remain bills not yet acted upon, be and they are hereby directed to give consideration to all bills regardless of what number they bear, and make report on the same at the earliest possible moment.

*Be It Further Resolved*. That all bills heretofore reported, and to be reported in the future, take their place on the calendar regardless of whether they be even or odd numbered bills, and taken up for consideration by the House as they appear on the calendar.

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 Senate was asked:

House File No. 24, a bill for an act to amend, revise, and codify the law relating to the registration of voters.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 194, a bill for an act to amend, revise, and codify section fifty hundred ninety (5090) of the compiled code of Iowa, relating to liability for negligence of employes and contracts of insurance relief, benefit or indemnity between railway corporations and their employes in case of injury or death.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 47, a bill for an act to amend, revise, and codify sections eight hundred ninety-two (892) to eight hundred ninety-eight (898), inclusive, of the compiled code of Iowa, and section eight hundred ninety-one (891) of the supplement to said code, relating to the state free employment bureau, free employment service, and employment agencies.

L. W. AINSWORTH, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 47, a bill for an act to amend, revise, and codify sections eight hundred ninety-two (892) to eight hundred ninety-eight (898), inclusive, of the compiled code of Iowa, and section eight hundred ninety-one (891) of the supplement to said code, relating to the state free employment bureau, free employment service, and employment agencies.

Read first and second times and referred to committee on labor.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 102

As a conference committee on House File No. 102, the Speaker appointed the following members on the part of the House: Johnson of Dickinson, Graham of Wapello, Mathews of Des Moines and Clark of Linn.

#### REPORT OF COMMITTEE

Williams of Montgomery, from the committee on animal industry, submitted the following report:

MR. SPEAKER: Your committee on animal industry to whom was referred House File No. 68, a bill for an act to amend, revise, and codify chapters (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18) and nineteen (19) of title eight (VIII) of the compiled code of Iowa and of the supplement to said code, relating to animal industry, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the

House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

1. Amend House File No. 68 by striking out all of section four (4) thereof.

2. Amend section five (5) by striking from line three (3) the word "pedigree" and substituting therefor the word "registry"; also by striking out the word "a" at the end of the line and substituting therefor "an Iowa".

3. Amend section nine (9) by striking out of the head notes the word "diseases" and substituting therefor the word "defects"; also by striking out of line two (2) after the word "following" the word "diseases" and substituting therefor the word "defects", and by striking out of line two (2) following the word "such" the word "diseases" and substituting therefor the word "defects".

4. Amend section ten (10) by substituting for the word "diseased" in the head notes, the word "defective". Also by striking out of line two (2) the word "diseases" and substituting therefor the word "defect". Also by striking out of line four (4) the word "diseases" and substituting therefor the word "defect".

5. Amend section fifteen (15) by inserting between the words "disease" and "in" in line one (1) of subsection two (2) the words "or defect". Also by substituting a period (.) for the comma (,) in line five (5) and striking out the word "or" in said line. Also by inserting between the words "disease" and "enumerated" in line six (6) the words "or defect".

6. Amend section twenty-two (22) by striking out of line five (5) preceding the word "certificate" the word "new".

7. Amend section twenty-three (23) by striking out all of said section and substituting therefor the following:

"Any veterinarian who knowingly makes a false affidavit as to the disease or freedom from disease, or soundness or unsoundness, of any animal examined by him or who fails to file with the department a report of his findings in accordance with the provisions of this act, shall be guilty of a misdemeanor and punished accordingly and his license to practice shall be revoked."

8. Amend by inserting immediately after section twenty-seven (27) the following:

"Sec. 27-a1. Infectious and contagious diseases defined.

For the purpose of this act, infectious and contagious diseases shall be deemed to embrace glanders, farcy, maladie du coit (dourine), anthrax, foot and mouth disease, scabies, hog cholera, necrotic enteritis, or tuberculosis."

9. Amend section twenty-eight (28) by striking out of line one (1) the word "accredited" and substituting therefor the word "licensed". Also by striking out of line three (3) the word "assistants" and substituting therefor the words "assistant veterinarians".

10. Amend section twenty-nine (29) by striking out of line one (1)

the word "assistants" and substituting therefor the words "assistant veterinarians".

11. Amend section thirty (30) by striking out of line one (1) the word "assistants" and substituting therefor the words "assistant veterinarians".

12. Amend section thirty-three (33) by striking out of line one (1) the word "assistants" and substituting therefor the words "assistant veterinarians".

13. Amend section thirty-nine (39) by striking out of line three (3) the words "one point" and substituting therefor the words "a public stockyard".

14. Amend section forty (40) by striking out of line five (5) the word "herd" and substituting therefor the words "animals tested".

15. Amend section forty-four (44) by striking out the words "or other" in line three (3) and by inserting between the words "work" and "feeding" the word "or".

16. Amend section forty-five (45) by inserting between the words "shall" and "permit" in line three (3) the word "knowingly".

17. Amend section fifty-four (54) by substituting therefor the following:

"Sec. 54. Amount of indemnity to be paid owner.

When breeding animals are slaughtered following any test there shall be deducted from their appraised value:

1. Five per cent of the appraised value of the breeding animals tested.
2. The proceeds from the sale of the salvage.

The owner shall be paid by the state one-third of the sum remaining after the above deductions are made.

The state shall in no case pay to such owner a sum in excess of fifty dollars (\$50.00) for any registered pure bred animal or twenty-five dollars (\$25.00) for any grade animal."

18. Amend section sixty-two (62) by substituting for the entire section the following:

"Sec. 62. Appointment of inspectors and assistants.

The department may appoint one or more accredited veterinarians as inspectors for each county and one or more persons as assistants to such inspectors. Such inspectors, with the assistance of such person or persons, shall test the breeding cattle subject to test, as provided in this chapter, and shall be subject to the direction of the department in making such tests."

19. Amend section sixty-four (64) by striking out of line one (1) the word "shall" and substituting therefor the word "may".

20. Amend section sixty-six (66) by substituting therefor the following:  
"Sec. 66. Establishment by petition of breeders.

When any number of resident owners of breeding cattle constituting a number equal to fifty-one (51) per cent of the number of owners of

breeding cattle in said county, as shown by the last assessors' rolls, petition the board of supervisors for the establishment of a county area eradication plan, such petition including an agreement on the part of the respective signers thereof for the testing of their respective herds, as provided in this chapter, the board shall cause a notice to be published for two consecutive weeks in two official county papers of the date of the hearing on said petition, which shall not be less than five nor more than ten days after the last publication, said date to be set by the county auditor. If, after such hearing, or if no objections are filed to such petition on or before such date, the petition shall be found sufficient, the board shall make application to the secretary of agriculture for the enrollment of the county under such plan. The application shall be accompanied by a copy of the petition and agreements, together with the action of the board thereon, duly certified by the county auditor. The secretary of agriculture, upon receiving the application, shall enroll the county under such plan. Certified copy of the agreements as filed with the secretary of agriculture shall have the same force and effect as originals on file with him. Subsequent agreements may be filed with the department."

21. Amend section sixty-seven (67) by striking out all of said section.

22. Amend section sixty-eight (68) by substituting therefor the following:

"Sec. 68. Levy for eradication fund.

In each county enrolled under either of the plans provided in this chapter, the board of supervisors shall each year when it makes the levy for taxes, levy a tax sufficient to provide a fund to pay the indemnity and other expenses provided in this chapter, except as hereinafter provided, but such levy shall not exceed three (3) mills in any year upon the taxable value of all the property in the county. Such levy shall be placed upon the tax list by the county auditor and collected by the county treasurer in the same manner and at the same time as other taxes of the county. The money derived from such levy shall be placed in a fund to be known as the county tuberculosis eradication fund, and the same shall only be used for the payment of claims as provided in this chapter.

The county auditor of each county shall, not later than August fifteenth of each year, certify to the secretary of agriculture a report showing the amount in the tuberculosis eradication fund on August first of each year.

Should it appear to the secretary of agriculture that the balance in such fund is sufficient, with the county's allotment of state and federal funds available, to carry on the work in such county for the ensuing year, he shall so certify to the county auditor and when such certification has been made the board shall make no levy for such tuberculosis eradication fund for such year.

23. Amend section sixty-nine (69) by striking out all of said section.

24. Amend section seventy (70) by striking out after the word "of" in line six (6) all of said section and substituting therefor the following: "materials, indemnities, inspectors and assistants as herein provided."

25. Amend section seventy-one (71) by substituting for the words

and figures "ten thousand dollars (\$10,000.00)" the words and figures "twenty-five hundred dollars (\$2,500.00)" and substituting for "board of supervisors" in line two (2) the words "county auditor".

26. Amend section seventy-two (72) by striking out of line three (3) the words "dispose of them in the same manner" and substituting therefor the words "present them to the board of supervisors, and such board shall allow and pay the same".

27. Amend by inserting after section seventy-three (73) the following:  
"Sec. 73-a1. Certification of number of owners in county.

For the purpose of determining the number of owners of breeding cattle in the county constituting the per cent required by the preceding section, the county auditor of each county which has been enrolled under the county area eradication plan, shall certify to the department after each assessment in the county, the number of owners of breeding cattle in such county as shown by the last assessors' rolls.

Sec. 73-a2. Establishment by vote of people.

"Whenever any number of electors of the county equal to fifteen per cent (15%) of the voters of the county as shown by the vote for the head of the ticket at the last general election, petition the board of supervisors for the establishment of the accredited area plan and file the same in the office of the county auditor, the board shall, if it finds such petition complies with the requirements of this chapter, submit at the next general election the following proposition: Shall———county levy a tax of not more than three (3) mills on the taxable value of the property of the county for the purpose of establishing a county tuberculosis eradication fund and entering upon the accredited area plan? If the proposition receives sixty-five per cent (65%) of the votes cast at such election the board shall notify the department, which shall enroll the county under the accredited area plan."

28. Amend section seventy-four (74) by substituting therefor the following:

"Sec. 74. Penalty.

Any owner of breeding cattle in any county which has been enrolled as an accredited area, as provided in the preceding section, who does not apply for and sign an agreement for such test or fails to have his cattle tested as provided therein within a period of ninety (90) days from the publication of the resolution by the board of supervisors, shall be guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars or by imprisonment in the county jail for not more than thirty days or by both such fine and imprisonment. It shall be prima facie evidence that the cattle of any such owner who does not permit his cattle to be tested as herein provided are affected with tuberculosis and may be quarantined by the department until such test is made."

29. Amend section seventy-nine (79) by striking out all of subsection one (1) and substituting in lieu thereof the following:

"1. The words 'biological products' shall include and be deemed to embrace only anti-hog cholera serum and virus."

2. Amend subsection two (2) by substituting for "hog cholera virus" the words "biological products" in line four (4) thereof.

3. Amend subsection three (3) by substituting for "hog cholera virus" in lines nine and ten (9 and 10) the words "biological products".

4. Amend paragraph (a) of subsection three (3) by substituting for "virus" in line twelve (12) the words "biological products".

5. Amend paragraph (b) of subsection three (3) by striking out of line thirteen (13) the word "virus" and substituting therefor the words "biological products".

30. Amend section eighty (80) by substituting therefor the following:  
"The department shall have power to make such rules governing the manufacture, sale and distribution of biological products as it deems necessary to maintain their potency and purity."

31. Amend section eighty-one (81) by striking out of line two (2) the words "hog cholera virus" and substituting therefor the words "biological products".

32. Amend section eighty-three (83) by striking out of line one (1) the words "hog cholera virus" and substituting therefor the words "biological products". Also by striking out of line five (5) the word "virus" and substituting therefor the words "biological products".

33. Amend section eighty-four (84) by striking out of line one (1) the words "hog cholera virus" and substituting therefor the words "biological products".

Amend subsection one (1) of section eighty-four (84) by substituting therefor the following:

"The faithful compliance with all laws governing the warehousing, sale and distribution of biological products, and with all the rules of the department relating to such biological products."

Amend by substituting for subsection two (2) of section eighty-four (84) the following:

"To indemnify any person who uses any such biological products sold by the principal and is damaged by the negligence of the principal, or any of his agents, in the warehousing, handling, sale, or distribution of such biological products."

34. Amend section eighty-seven (87) by striking out of line five (5), subsection one (1), the words "hog cholera virus" and substituting therefor the words "biological products".

35. Amend section eighty-eight (88) by striking out of line five (5), subsection one (1), the words "hog cholera virus" and substituting therefor the words "biological products".

36. Amend section eighty-nine (89) by striking out of line seven (7) the words "hog cholera virus" and substituting therefor the words "biological products".

37. Amend section ninety-one (91) by striking out of line six (6) in subsection two (2) the words "hog cholera virus" and substituting therefor the words "biological products". Also by substituting for subsection three (3) the following:

"In case of either a manufacturer or dealer for discrimination in the price at which such biological products are sold, and such permit shall not in such case be renewed for one year."

38. Amend section ninety-three (93) by striking out of line one (1) the words "hog cholera virus" and substituting therefor the words "biological products". Also by striking out of line four (4) the word "virus" and substituting therefor the words "biological products".

39. Amend section ninety-four (94) by striking out of lines one (1) and two (2) the words "hog cholera" and substituting therefor the words "virulent blood or", and by inserting between "virus" and "except" in line two (2) the words "from cholera infected hogs".

40. Amend section ninety-six (96) by striking out of line three (3) the words "hog cholera" and substituting therefor "anti-hog cholera serum and".

41. Amend by substituting for section ninety-seven (97) the following: "Applications for such school shall be made to the county agent, or in the event there is no county agent, to some other person appointed by the board of supervisors to receive such applications, accompanied by a fee of three dollars (\$3.00). When there are sufficient applications to authorize a school, said agent, or person, shall forward the applications to the extension division."

42. Amend section ninety-eight (98) by striking out of line two (2) the words "hog cholera" and substituting therefor the words "anti-hog cholera serum and".

43. Amend section ninety-nine (99) by substituting therefor after the head notes the following:

"The instructor shall at once report to the extension division the names and postoffice addresses of those persons who are found by him to be competent to use and administer hog cholera virus. The names and addresses shall then be certified by the extension division to the department of agriculture. The department shall certify to the county agent, or other authorized persons, the names of the successful applicants and such county agent, or person, shall immediately transmit to the department the fees of the successful applicants."

44. Amend section one hundred (100) by substituting therefor after the head notes the following:

"Upon receipt of such fees and names, the department shall at once issue to each person a permit to administer hog cholera virus."

45. Amend section one hundred two (102) by substituting therefor the following after the head notes:

"The person to whom a permit to administer hog cholera virus has been issued is authorized only to administer such virus to hogs owned by the holder of the permit, and the permit shall so state."

46. Amend section one hundred three (103) by inserting after the word "paid" in line two (2) the words "as far as possible".

47. Amend section one hundred four (104) by striking out of line three (3) the words "hog cholera" and substituting therefor "anti-hog cholera serum and".

48. Amend section one hundred five (105) by striking out of the head notes the word "fee" and substituting for the remainder of the section the following:

"Schools of instruction held at said college shall be conducted substantially in the same manner as county schools. Permits to administer virus shall be issued to all applicants who are found to be competent upon the same condition and in the same manner as those taking instruction in county schools."

49. Amend section one hundred six (106) by striking out of line two (2) the words "hog cholera virus" and inserting therefor the words "biological products".

50. Amend section one hundred seven (107) by striking out all of said section after the head notes and substituting therefor the following:

"Every holder of a permit to administer hog cholera virus shall, upon request of the department, make a report to the department giving such information as the department may require. Such information shall be on a form furnished by the department."

51. Amend section one hundred eight (108) by striking out all of such section following the head notes and substituting therefor the following:

"Within ten (10) days after being requested in writing by the department, such report shall be delivered or sent by registered mail to the department by the permit holder. The department may suspend the permit of any holder who fails to make such report until he has complied with the preceding section."

52. Amend section one hundred nine (109) by striking out of line four (4) the words "such virus" and substituting therefor the words "biological products".

53. Amend section one hundred ten (110) by inserting between the word "virus" and the period (.) in line three (3) the following: "immediately upon the issuance of such permits".

54. Amend section one hundred eleven (111) by striking out of line two (2) the words "hog cholera virus" and substituting therefor the words "biological products".

55. Amend section one hundred twelve (112) by striking out of line two (2) the words "hog cholera virus" and substituting therefor the words "biological products".

56. Amend section one hundred thirteen (113) by striking out of line two (2) the words "hog cholera virus" and substituting therefor the words "biological products".

57. Amend section one hundred fourteen (114) by striking out of line two (2) the words "hog cholera virus" and substituting therefor the words "biological products", and substituting for the word "authorized" in line three (3) the word "made".

58. Amend section one hundred fifteen (115) by striking out of lines two (2) and three (3) the words "hog cholera virus" and substituting therefor the words "biological products". Also by striking out of line

five (5) the words "the virus" and substituting therefor the words "biological products".

59. Amend section one hundred twenty-one (121) by striking out of line one (1) the word "department" and substituting therefor the words "secretary of agriculture or some person appointed by him".

60. Amend section one hundred twenty-seven (127) by striking out all after the head notes and substituting therefor the following:

"Each place for the carrying on of said business shall, to the satisfaction of the department, be provided with floors constructed of concrete or some other nonabsorbent material and adequate drainage, be thoroughly sanitary, and adapted to carrying on the business."

61. Amend section one hundred thirty-five (135) by striking out all after the head notes and substituting therefor the following:

"The violation of any of the provisions of this chapter or any rule adopted thereunder by the department shall be punishable by a fine of not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00), or by imprisonment in the county jail not more than ninety (90) days."

62. Amend section one hundred thirty-seven (137) by striking out all of subsections four (4), five (5) and six (6).

63. Amend section one hundred thirty-eight (138) by inserting between the words "diseased" and "animals" in line seven (7) the words "or injured".

64. Amend section one hundred forty-three (143) by striking from lines two (2) and three (3) the following: "the announcing to the public in any way of the intention to practice veterinary medicine,".

65. Amend section one hundred forty-four (144) by striking out all of said section.

66. Amend section one hundred fifty-four (154) by striking out the comma (,) after the word "shall" in line one (1) and the following words and comma: "in addition to necessary traveling and hotel expenses,". Also by adding at the end of the section the following: "He shall also receive five cents (5c) per mile for the number of miles actually traveled in the discharge of his duties."

67. Amend section one hundred fifty-eight (158) by striking out of line two (2) the words "seat of government" and substituting therefor the word "capitol".

68. Amend section one hundred fifty-nine (159) by striking out all of lines seven (7) and eight (8).

69. Amend section one hundred sixty-one (161) by striking out after the word "shall" in line one (1) the comma (,) and the words and comma "subject to the approval of the examining board,". Also by striking out all after the period (.) in line four (4).

70. Amend section one hundred sixty-two (162) by striking out of line one (1) the words "examining board" and substituting therefor the word "department", and by striking out of line four (4) the word "board" and substituting therefor the word "department".

71. Amend section one hundred seventy-five (175) by striking out of lines four (4) and five (5) the words "some person who resides in the county wherein the licensee practices" and substitute therefor the words "any resident of the state".

72. Amend section one hundred seventy-seven (177) by striking out all of said section.

73. Amend by adding the following as section 183:

"Sec. 183. Publication clause.

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

ALFRED WILLIAMS, *Acting Chairman.*

Report adopted.

#### CONSIDERATION OF BILLS

House File No. 180, a bill for an act to amend, revise, and codify sections four thousand seventy-one (4071), four thousand seventy-two (4072) and four thousand seventy-three (4073) of the compiled code of Iowa, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Hauge of Polk the amendments proposed by the committee, found in the Journal of January 17th, were adopted.

Noble of Muscatine asked unanimous consent to withdraw the amendments filed by him on December 10th.

Forsling of Woodbury asked unanimous consent to withdraw the amendments offered by Lovrien of Humboldt on December 12th.

No objections being made, the amendments by Mr. Noble and Mr. Lovrien were withdrawn.

Mr. Hauge moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Blume Bradley	Buffington Cole	Donhowe Dooley
Berry Blake	Brady Brittain	Criswell Diltz	Doolittle Dotts

Edge	Hollis	Parsons	Slemmons
Edson	King	Patterson	Smith of
Forsling	Knutson	Peterson	Chickasaw
Frahm	Lake	Potts	Smith of Lucas
Gallagher	Leonard	Powers	Stock
Garber of Floyd	Letts	Quirk	Strippel
Gesman	Lichty	Ramsey	Ulstad
Gilbertson	McClune	Rassler	Venard
Gilmore	Mathews	Rewoldt	Vincent
Grimwood	Miller	Rhinehart	Wamstad
Hattendorf	Napier	Robson	Weber
Hauge	Natvig	Rust	Williams
Healy	Noble	Sampson	Wilson
Held	Oliver	Schirmer	Wolfe
Hempel	Olson	Schulte	Mr. Speaker—79
Henderson	Ontjes	Scott of	
Himebauch	Orr	Appanoose	

The nays were:

Stookesberry—1

Absent or not voting:

Alken	Fackler	Huff	O'Donnell
Carter	Garber of Adair	Johnson	Rankin
Children	Gibson	Lieberknecht	Rumley
Clark	Gilbert	Long	Saunders
Colbert	Graham	Lovrien	Scott of Fremont
Dewar	Hansen	Matthlesen	Storey
Elliott	Harrison	Moen	Yenter—28

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 52 and 274.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 52 and 274.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this nineteenth day of January, 1924, sent to the Governor for his approval: House Files Nos. 104, 122, 133, 258.

C. F. LETTS, *Chairman*.

Report 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. 291, a bill for an act to legalize certain warrants of the city of Fort Dodge, Iowa.

Also, that the Senate insists on its amendments to House File No. 102, a bill for an act to amend, revise, and codify sections two thousand five hundred eighty-one (2581), two thousand five hundred eighty-two (2582) and two thousand five hundred eighty-three (2583) of the compiled code of Iowa, relating to education, and that the President has appointed as a conference committee on the part of the Senate, Senators Newberry, Mead, Holdoegel and Mantz.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 270, a bill for an act to amend, revise, and codify the law relating to the forfeiture of contracts to sell or to agree to sell an interest in real estate.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 28, a bill for an act to amend, revise, and codify the law relating to the election of presidential electors.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 140, a bill for an act to amend the law relating to the support of the poor.

L. W. AINSWORTH, *Secretary*.

## SENATE AMENDMENTS TO HOUSE FILE NO. 270

Amend section 2 by adding as subsection 4 the following:

"4. Provided, however, that if the property affected by the contract, if within a city or town, does not exceed one-half acre in extent, and otherwise does not contain in the aggregate more than forty (40) acres, has assumed a homestead character, then the vendor or his

successor in interest shall notify said vendee or his successor in interest, that said contract will stand forfeited and canceled, unless said party, within ninety (90) days after the completed service of said notice, performs the terms and conditions in default, and in addition, pays the reasonable cost of serving the notice."

Amend section 3 by adding after the word "required" in line 4 the words "before publication".

Amend section 5 by adding after the word "days" in line 2 the words "or ninety (90) days as the case may be".

#### SENATE AMENDMENTS TO HOUSE FILE NO. 28

Amend by striking out the period at the end of line 5 of section 2 and adding thereto the following: "and shall be so counted and recorded for such electors."

Amend by striking from line 5 of section 5 the words "national organization" and inserting in lieu thereof the words "state central committee".

#### SENATE AMENDMENTS TO HOUSE FILE NO. 140

Amend by striking from lines 9 and 10 of section 6 (subsection 2) the following: ", divorce or abandonment of her by the husband" and inserting in lieu thereof "of her husband or if she be divorced or abandoned by him,".

Amend by striking out section 12 of the bill and substituting in lieu thereof:

##### Sec. 12. Hospital emergency patients.

The authorities of any general hospital who have received an indigent patient, resident in this state, in an emergency caused by accident or by sudden and dangerous sickness, shall have a valid claim against the county of which such patient is a bona fide resident, for the reasonable value of the medical or surgical treatment furnished to such patient for the first week, by giving the notice prescribed in the following section.

##### Sec. 12-a1. Notice.

Said hospital authorities, within seventy-two hours after said patient has been received, and at an earlier time if reasonably possible, shall notify the county auditor of the county in which the patient resides that such patient has been so received; and, if known to said authorities, the notice shall state where said patient was injured or taken sick and the nature of such injury or sickness, together with his name and postoffice address.

##### Sec. 12-a2. Exception.

Nothing in the two preceding sections shall be construed as preventing the county from making, at any time, arrangements for the care of said patient at a place other than in said receiving hospital.

## SENATE MESSAGE CONSIDERED

Senate File No. 291, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Fort Dodge, Iowa.

Read first and second times and passed on file.

## CONSIDERATION OF BILLS

Anderson of Webster asked unanimous consent to consider Senate File No. 291 at this time.

Objection was made by Oliver of Monona.

Doolittle of Delaware moved that the rule be suspended and that Senate File No. 291 be considered at this time.

The motion having received a two-thirds majority, the rule was suspended.

Senate File No. 291, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Fort Dodge, Iowa, was taken up and considered.

Vincent of Guthrie moved that the rule prohibiting the second and third readings of a bill on the same day be suspended and that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Gallagher	Lake	Rust
Berry	Garber of Floyd	Leonard	Sampson
Blake	Gesman	Letts	Schirmer
Bradley	Gilbertson	Lichty	Smith of
Brady	Gilmore	McClune	Chickasaw
Buffington	Grimwood	Mathews	Stock
Cole	Hansen	Miller	Stokesberry
Criswell	Hattendorf	Napier	Strippel
Diltz	Healy	Natvig	Ulstad
Donhowe	Held	O'Donnell	Vincent
Dooley	Hempel	Olson	Wamstad
Doolittle	Henderson	Parsons	Weber
Dotts	Himebauch	Peterson	Williams
Edge	Hollis	Powers	Wilson
Edson	Johnson	Ramsey	Wolfe
Forsling	King	Rewoldt	Mr. Speaker—65
	Knutson	Robson	

The nays were:

Blume	Brittain	Oliver	Patterson—4
Absent or not voting:			
Aiken	Gibson	Moen	Saunders
Carter	Gilbert	Noble	Schulte
Children	Graham	Ontjes	Scott of
Clark	Harrison	Orr	Appanoose
Colbert	Hauge	Potts	Scott of Fremont
Dewar	Huff	Quirk	Slemmons
Elliott	Lieberknecht	Rankin	Smith of Lucas
Fackler	Long	Rassler	Storey
Frahm	Lovrien	Rhinehart	Venard
Garber of Adair	Matthiesen	Rumley	Yenter—39

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on January 17th, approved the following bills: House Files Nos. 278 and 280.

#### EXTRA COPIES OF COMMITTEE AMENDMENTS PRINTED

Williams of Montgomery moved that the chief clerk be authorized to order the printing of 1000 copies of chapter five (5) of House File No. 68 as amended by the committee.

Motion prevailed and it was so ordered.

On motion of Peterson of Henry the House adjourned until 10:00 a. m. Monday.

# JOURNAL OF THE HOUSE.

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 21, 1924.

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

Prayer was offered by the Rev. W. H. Elges, pastor of the Presbyterian church, Dexter, Iowa.

Journal of January 19th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Huff of Cass for the day, on request of Wolfe of Linn; McClune of Mahaska for the day, on request of Gilbertson of Winneshiek; Anderson of Webster until Wednesday, on request of Gilbertson of Winneshiek; Rankin of Lee until Wednesday, on request of Lovrien of Humboldt; Lieberknecht of Louisa for the day, on request of Wilson of Tama; Carter of Hardin for the day, on request of Dotts of Wayne; Frahm of Carroll for the day, on request of Gesman of Marion; Rassler of Pocahontas for the day, on request of Robson of Greene.

## REPORT OF COMMITTEE

Knutson of Cerro Gordo, 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. 54, a bill for an act to amend, revise, and codify chapters fifteen (15) and sixteen (16) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to propagation and protection of fish, game, wild birds, and animals, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the committee substitute for House File No. 54 be submitted for the consideration of the House for passage in lieu of the original bill.

C. A. KNUTSON, *Chairman.*

Report adopted.

Substitute for House File No. 54, by committee on fish and game, a bill for an act to amend, revise, and codify chapters fifteen (15) and sixteen (16) of title five (5) of the compiled

code of Iowa, and of the supplement to said code, relating to propagation and protection of fish, game, wild birds, and animals.

Read first and second times and passed on file.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Graham of Wapello, House File No. 28, a bill for an act to amend, revise, and codify section five hundred thirty-five (535) of the supplement to the compiled code of Iowa, relating to the election of presidential electors, with the following Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend by striking out the period at the end of line 5 of section 2 and adding thereto the following: "and shall be so counted and recorded for such electors."

Amend by striking from line 5 of section 5 the words "national organization" and inserting in lieu thereof the words "state central committee".

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

On the question "Shall the House concur?"

The ayes were:

Blake	Gilbert	Lovrien	Saunders
Bradley	Gilmore	Mathews	Schirmer
Brady	Graham	Moen	Smith of
Buffington	Grimwood	Napier	Chickasaw
Clark	Harrison	Natvig	Smith of Lucas
Criswell	Healy	O'Donnell	Stock
Dewar	Held	Olson	Stookesberry
Donhowe	Hempel	Ontjes	Strippel
Doolittle	Henderson	Parsons	Venard
Dotts	Himebauch	Patterson	Wamstad
Edge	Hollis	Peterson	Weber
Edson	Johnson	Potts	Williams
Elliott	King	Powers	Wilson
Forsling	Knutson	Quirk	Yenter
Gallagher	Leonard	Rewoldt	Mr. Speaker—68
Garber of Floyd	Letts	Robson	
Gesman	Lichty	Rumley	
Gibson	Long	Rust	

The nays were:

Blume	Hattendorf	Oliver—5
Brittain	Miller	

## Absent or not voting:

Aiken	Fackler	Matthiesen	Scott of
Anderson of	Frahm	Noble	Appanoose
Webster	Garber of Adair	Orr	Scott of Fremont
Berry	Gilbertson	Ramsey	Slemmons
Carter	Hansen	Rankin	Storey
Children	Hauge	Rassler	Ulstad
Colbert	Huff	Rhinehart	Vincent
Cole	Lake	Sampson	Wolfe—35
Diltz	Lieberknecht	Schulte	
Dooley	McClune		

The House concurred in the Senate amendments to House File No. 28.

## SPECIAL ORDER MADE

On request of Doolittle of Delaware, unanimous consent having been obtained, Calendar No. 1, House File No. 212, was made a special order for Thursday, January 24th, at 10:30 a. m.

## CONSIDERATION OF BILLS

House File No. 134, a bill for an act to amend, revise, and codify sections thirty-one hundred eighty-nine (3189), thirty-one hundred ninety (3190), thirty-one hundred ninety-two (3192), and thirty-one hundred ninety-three (3193) of the compiled code of Iowa, relating to county attorneys, with report of committee on county and township organization recommending amendment and passage, was taken up and considered.

Oliver of Monona moved that House File No. 134 be referred to the committee on judiciary.

Motion prevailed and it was so ordered.

House File No. 174, a bill for an act to amend, revise, and codify sections three thousand nine hundred ninety-five (3995), four thousand (4000), and four thousand one (4001) of the compiled code of Iowa, relating to municipal corporations, with report of committee recommending passage, was taken up for consideration.

Hauge of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

## On the question "Shall the bill pass?"

The ayes were:

Berry	Gesman	Lovrien	Sampson
Blake	Gibson	Mathews	Schirmer
Blume	Gilbert	Miller	Schulte
Bradley	Gilbertson	Moen	Scott of
Brady	Gilmore	Napier	Appanoose
Brittain	Grimwood	Natvig	Slemmons
Buffington	Harrison	Noble	Stock
Children	Hattendorf	O'Donnell	Stookesberry
Cole	Hauge	Olson	Storey
Criswell	Healy	Ontjes	Strippel
Dewar	Hempel	Orr	Ulstad
Diltz	Henderson	Parsons	Venard
Dooley	Himebauch	Patterson	Wamstad
Doolittle	Hollis	Peterson	Weber
Dotts	Johnson	Powers	Williams
Edson	King	Quirk	Wilson
Elliott	Knutson	Rewoldt	Wolfe
Forsling	Leonard	Rhinehart	Yenter
Gallagher	Letts	Robson	Mr. Speaker—81
Garber of Adair	Lichty	Rumley	
Garber of Floyd	Long	Rust	

The nays were:

- Donhowe—1

Absent or not voting:

Aiken	Fackler	Lieberknecht	Rassler
Anderson of	Frahm	McClune	Saunders
Webster	Graham	Matthiesen	Scott of Fremont
Carter	Hansen	Oliver	Smith of
Clark	Held	Potts	Chickasaw
Colbert	Huff	Ramsey	Smith of Lucas
Edge	Lake	Rankin	Vincent—26

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 129, a bill for an act to amend, revise, and codify sections thirty-one hundred fifteen (3115), thirty-one hundred twenty-four (3124), seven hundred thirteen (713) and thirty-one hundred twenty-seven (3127) of the compiled code of Iowa, relating to boards of supervisors, with report of committee recommending passage, was taken up and considered.

Criswell of Boone moved that action on Senate File No. 129 be deferred.

Motion lost.

Edson of Buena Vista offered the following amendment and moved its adoption:

Amend section nine (9) of Senate File No. 129, by adding thereto the following: "when the board is in continuous session, mileage for only one trip going to and from the session shall be allowed".

Amendment adopted.

Dewar of Cherokee offered the following amendment and moved its adoption:

Amend section nine (9) of Senate File No. 129 by striking out the words "and from" as they appear in lines five (5) and six (6) thereof.

Amendment lost.

Parsons of Calhoun offered the following amendment and moved its adoption:

Amend section seven (7) of Senate File No. 129 by striking from line three (3) the word and figure "two (2)" and inserting in lieu thereof the word and figure "six (6)".

Amendment adopted.

Doolittle of Delaware offered the following amendment and moved its adoption:

Amend section nine (9) of Senate File No. 129 by striking from line four (4) the words and figures "ten cents (10c)" and inserting in lieu thereof the words and figure "five cents (5c)".

Oliver of Monona offered the following amendment and moved that it be substituted for the amendment by Doolittle of Delaware:

Amend Senate File No. 129 by striking from line four (4) of section nine (9) the words and figures "ten cents (10c)" and inserting in lieu thereof the words and figure "eight cents (8c)".

Motion to substitute lost.

Hauge of Polk offered the following amendment to the amendment offered by Doolittle of Delaware and moved its adoption:

Amend the amendment by striking out the words and figure "five cents (5c)" and inserting in lieu thereof the words and figures "seven and one-half cents (7½c)".

On the question "Shall the amendment to the amendment be adopted?" a roll call was demanded.

The ayes were:

Brittain	Graham	King	Oliver
Forsling	Hauge	Lake	Ontjes
Garber of Floyd	Johnson	Lovrien	Slemmons—12

## The nays were:

Aiken	Gesman	Napier	Scott of
Berry	Gibson	Natvig	Appanoose
Blake	Gilbert	Noble	Smith of
Blume	Gilbertson	O'Donnell	Chickasaw
Bradley	Gilmore	Olson	Smith of Lucas
Brady	Grimwood	Orr	Stock
Buffington	Hansen	Parsons	Stookesberry
Children	Harrison	Patterson	Storey
Colbert	Hattendorf	Peterson	Strippel
Cole	Held	Powers	Ulstad
Criswell	Hempel	Quirk	Venard
Dewar	Henderson	Rewoldt	Vincent
Diltz	Hollis	Rhinehart	Wamstad
Donhowe	Knutson	Robson	Weber
Dooley	Leonard	Rumley	Williams
Doolittle	Letts	Rust	Wilson
Dotts	Lichty	Sampson	Wolfe
Edson	Long	Saunders	Yenter
Elliott	Mathews	Schirmer	Mr. Speaker—79
Gallagher	Miller	Schulte	
Garber of Adair	Moen		

## Absent or not voting:

Anderson of	Fackler	Lieberknecht	Rankin
Webster	Frahm	McClune	Rassler
Carter	Healy	Matthiesen	Scott of
Clark	Himebauch	Potts	Fremont—17
Edge	Huff	Ramsey	

The amendment to the amendment was rejected.

On the question "Shall the amendment by Doolittle of Delaware be adopted?" a roll call was demanded.

## The ayes were:

Blake	Hansen	Scott of	Stookesberry—9
Doolittle	Lake	Appanoose	
Gilmore	Long	Smith of Lucas	

## The nays were:

Berry	Elliott	Johnson	Peterson
Blume	Gallagher	King	Powers
Bradley	Garber of Adair	Knutson	Quirk
Brady	Garber of Floyd	Leonard	Rewoldt
Brittain	Gesman	Letts	Rhinehart
Buffington	Gibson	Lichty	Robson
Children	Gilbert	Lovrien	Rumley
Colbert	Gilbertson	Mathews	Rust
Cole	Graham	Miller	Sampson
Criswell	Grimwood	Moen	Saunders
Dewar	Harrison	Napier	Schirmer
Diltz	Hattendorf	Noble	Schulte
Donhowe	Hauge	O'Donnell	Slemmons
Dooley	Held	Ontjes	Smith of
Dotts	Hempel	Orr	Chickasaw
Edge	Henderson	Parsons	Stock
Edson	Hollis	Patterson	Strippel

Ulstad	Weber	Wolfe
Venard	Williams	Yenter
Vincent	Wilson	Mr. Speaker—76

Absent or not voting:

Aiken	Forsling	McClune	Ramsey
Anderson of	Frahm	Matthiesen	Rankin
Webster	Healy	Natvig	Rassler
Carter	Himebauch	Oliver	Scott of Fremont
Clark	Huff	Olson	Storey
Fackler	Lieberknecht	Potts	Wamstad—23

The amendment was rejected.

Wilson of Tama moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Adair	Lichty	Schirmer
Berry	Garber of Floyd	Long	Schulte
Blake	Gesman	Lovrien	Scott of
Blume	Gibson	Mathews	Appanoose
Bradley	Gilbert	Miller	Slemmons
Brady	Gilbertson	Moen	Smith of
Brittain	Graham	Napier	Chickasaw
Buffington	Grimwood	Natvig	Stock
Children	Hansen	O'Donnell	Stookesberry
Clark	Harrison	Olson	Storey
Colbert	Hattendorf	Ontjes	Strippel
Cole	Hauge	Orr	Ulstad
Criswell	Healy	Parsons	Venard
Dewar	Held	Patterson	Vincent
Diltz	Hempel	Peterson	Wamstad
Donhowe	Henderson	Quirk	Weber
Dooley	Hollis	Rewoldt	Williams
Doolittle	Johnson	Rhinehart	Wilson
Dotts	King	Robson	Wolfe
Edson	Knutson	Rumley	Yenter
Elliott	Lake	Rust	Mr. Speaker—88
Forsling	Leonard	Sampson	
Gallagher	Letts	Saunders	

The nays were:

Noble	Smith of
Oliver	Lucas—3

Absent or not voting:

Anderson of	Frahm	McClune	Rankin
Webster	Gilmore	Matthiesen	Rassler
Carter	Himebauch	Potts	Scott of
Edge	Huff	Powers	Fremont—17
Fackler	Lieberknecht	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 145, a bill for an act to amend, revise, and codify chapter seventeen (17) of title twelve (12) of the compiled code of Iowa, relating to official newspapers, with report of committee recommending passage, was taken up for consideration.

Schirmer of Jackson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Floyd	Lichty	Saunders
Berry	Gesman	Long	Schirmer
Blake	Gibson	Lovrien	Schulte
Blume	Gilbert	Mathews	Scott of
Bradley	Gilbertson	Miller	Appanoose
Brady	Gilmore	Moen	Slemmons
Brittain	Graham	Napier	Smith of
Buffington	Grinwood	Natvig	Chickasaw
Clark	Hansen	Noble	Smith of Lucas
Colbert	Harrison	O'Donnell	Stock
Cole	Hattendorf	Oliver	Stookesberry
Criswell	Hauge	Ontjes	Storey
Dewar	Healy	Orr	Strippel
Diltz	Held	Parsons	Ulstad
Donhowe	Hempel	Patterson	Venard
Dooley	Henderson	Peterson	Vincent
Doolittle	Hollis	Quirk	Wamstad
Dotts	Johnson	Rewoldt	Weber
Edson	King	Rhinehart	Williams
Elliott	Knutson	Robson	Wilson
Forsling	Lake	Rumley	Wolfe
Gallagher	Leonard	Rust	Yenter
Garber of Adair	Letts	Sampson	Mr. Speaker—90

The nays were, none.

Absent or not voting:

Anderson of	Fackler	McClune	Ramsey
Webster	Frahm	Matthiesen	Rankin
Carter	Himebauch	Olson	Rassler
Children	Huff	Potts	Scott of
Edge	Lieberknecht	Powers	Fremont—18

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### AMENDMENTS FILED

Children of Pottawattamie filed the following amendments to House File No. 116:

Amend House File No. 116 as follows:

Amend section six (6) by placing a period (.) after the word "publication" in line nine (9) thereof and striking out the remainder of the section. Also, by adding after the word "thereof" in line five (5) the words, "which may include the necessary illustrations, maps, charts and diagrams".

Amend section nine (9) by striking from lines three (3), four (4) and five (5) beginning with the word "When" in line three (3) all down to and including the word "they" in line five (5) and substituting in lieu thereof the following: "When such distribution has been made the board shall retain a sufficient number of copies to supply probable future demands and any copies in excess of such number."

Forsling of Woodbury filed the following amendment to House File No. 172:

Amend House File No. 172 by striking all of section 4 and by inserting in lieu thereof the following:

"The council may order any of the questions provided for in the three (3) preceding sections submitted to a vote at a general or municipal election, or at one specially called for that purpose, or the mayor shall submit said question to such a vote upon the petition of twenty-five (25) property owners of each voting precinct in a city, or of fifty (50) property owners of any incorporated town. Notice of the election shall be given by publication once each week for four (4) consecutive weeks in some newspaper published in the county and of general circulation in the city or town. The election shall be held on a day not less than five (5) nor more than twenty (20) days after the last publication of notice."

Forsling of Woodbury filed the following amendment to the committee amendments to House File No. 172:

Amend the committee amendment No. 4 to House File No. 172 by inserting between the words "be" and "acquired" in line 3 the word "so", and by striking the period (.) at the end of such amendment and inserting in lieu thereof the following: "for such purposes for any such acquired property."

Oliver of Monona filed the following amendments to House File No. 130:

Amend House File No. 130 as follows:

1. Amend by adding to said bill immediately following section six (6) thereof the following:

"That section eighty-nine hundred sixty-three (8963) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 7. Personal contracts by supervisors and trustees.

Members of boards of supervisors and township trustees shall not buy from, sell to, or in any manner become parties, directly or indirectly, to any contract for the purchase or sale of any real estate or building, or to

furnish supplies, material, or labor to the county or township in which they are respectively members of such board of supervisors or township trustees."

2. Amend the title by striking out the word "section" in the first line and inserting in lieu thereof the word "sections"; also by inserting after the parenthesis "(3131)" the words and figures "and eighty-nine hundred sixty-three (8963)"; also by inserting after the word "supervisors" in line five (5) the words "and township trustees".

On motion of Stookesberry of Davis the House adjourned until 9:30 a. m. Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 22, 1924.

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

Prayer was offered by the Rev. Thomas Carson, pastor of the M. E. church, Boone, Iowa.

Journal of January 21st corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Powers of Page for the day, on request of Healy of Hancock; Huff of Cass for the day, on request of Wolfe of Linn; Frahm of Carroll for the day, on request of Blume of Crawford; Carter of Hardin for the day, on request of Dotts of Wayne; Letts of Washington for the morning, on request of Patterson of Kossuth.

## REPORT OF COMMITTEE

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 218, a bill for an act to amend, revise, and codify section sixty-six hundred eighty-six (6686) and chapter ten (10) of title twenty-six (26) of the compiled code of Iowa, relating to adoption, and master and apprentice, beg leave to report they have had 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. F. CLARK, *Chairman.*

Report adopted.

## REPORT OF CONFERENCE COMMITTEE

Henderson of Hamilton, from the conference committee on House File No. 276, submitted the following report:

MR. SPEAKER: Your conference committee to whom was referred House File No. 276, a bill for an act to amend, revise, and codify chapter twenty-four-A (24-A) of title twelve (12) of the supplement to the compiled code of Iowa, begs leave to report that it has had the same under consideration,

and recommends that the differences between the Senate and the House be composed and settled upon the following basis:

1. That the Senate shall recede from the amendments proposed and adopted by it.

2. That section one of the bill as adopted by the House be amended by adding thereto at the close thereof the following:

"This section shall not apply to baseball games or county fairs."

3. That section two of the bill be amended by changing the period at the end of line one thereof to a semi-colon (;) and by adding immediately thereafter the words: "provided, however, that a license to operate a theater or moving picture show shall not be denied in any unincorporated village having a population of one thousand or more except for good cause."

4. That section five as adopted by the House shall be numbered as section four.

5. That there shall be added to the bill as section five the following:

"Sec. 5. Appeal.

Any person aggrieved by the action of the trustees in revoking a license may appeal therefrom to the district court of the county by serving a notice on the chairman of the board of trustees within twenty days after the final decision of said board. Such appeal shall be tried de novo and in equity."

6. That section four of the bill be renumbered as section six.

F. C. GILCHRIST  
W. G. HASKELL  
J. D. BUSER  
W. A. CALDWELL  
M. L. HENDERSON  
L. V. CARTER  
EARL W. VINCENT  
W. C. EDSON

#### HOUSE FILE NO. 14 REREFERRED

On request of Sampson of Audubon, unanimous consent having been obtained, House File No. 14 was referred to the special committee appointed to draft a budget bill.

#### CONSIDERATION OF BILLS

House File No. 26, a bill for an act to amend, revise, and codify sections four hundred sixty-six (466) to four hundred sixty-eight (468), inclusive, four hundred seventy (470), four hundred seventy-one (471), four hundred seventy-three (473) to four hundred seventy-six (476), inclusive, four hundred seventy-nine (479) to four hundred eighty-one (481), inclusive, four

hundred eighty-four (484), four hundred eighty-five (485), four hundred eighty-seven (487) to four hundred ninety (490), inclusive, and four hundred ninety-five (495) of the compiled code of Iowa, relating to the canvass of votes at elections, with report of committee recommending passage, was taken up for consideration.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend House File No. 26 by striking therefrom all of section nine (9).

Amendment adopted.

Aiken of Ida moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gilbert	Mathews	Saunders
Berry	Gilbertson	Matthiesen	Schirmer
Blake	Gilmore	Miller	Schulte
Bhume	Graham	Moen	Scott of
Bradley	Grimwood	Napier	Appanoose
Brady	Hansen	Natvig	Slemmons
Brittain	Harrison	Noble	Smith of
Buffington	Hattendorf	O'Donnell	Chickasaw
Children	Hauge	Oliver	Smith of Lucas
Clark	Healy	Olson	Stock
Colbert	Held	Ontjes	Stookesberry
Cole	Hempel	Orr	Storey
Criswell	Henderson	Parsons	Strippel
Dewar	Himebauch	Patterson	Ulstad
Donhowe	Hollis	Peterson	Venard
Dooley	Johnson	Potts	Wamstad
Dotts	King	Quirk	Weber
Edge	Knutson	Ramsey	Williams
Edson	Leonard	Rassler	Wilson
ElHott	Lichty	Rewoldt	Wolfe
Gallagher	Lieberknecht	Rhinehart	Mr. Speaker—91
Garber of Floyd	Long	Robson	
Gesman	Lovrien	Rust	
Gibson	McClune	Sampson	

The nays were, none.

Absent or not voting:

Anderson of	Fackler	Lake	Scott of Fremont
Webster	Forsling	Letts	Vincent
Carter	Frahm	Powers	Yenter—17
Diltz	Garber of Adair	Rankin	
Doolittle	Huff	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 116, a bill for an act to amend, revise, and codify sections two thousand seven hundred eighty-eight (2788) to two thousand seven hundred ninety-three (2793), inclusive, of the compiled code of Iowa, relating to education and the Iowa geological survey, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Schirmer of Jackson the amendments proposed by the committee were adopted.

The following amendments, filed by Children of Pottawattamie, were taken up and considered:

Amend House File No. 116 as follows:

Amend section six (6) by placing a period (.) after the word "publication" in line nine (9) thereof and striking out the remainder of the section. Also, by adding after the word "thereof" in line five (5) the words "which may include the necessary illustrations, maps, charts and diagrams."

Amend section nine (9) by striking from lines three (3), four (4) and five (5) beginning with the word "When" in line three (3) all down to and including the word "they" in line five (5) and substituting in lieu thereof the following: "When such distribution has been made the board shall retain a sufficient number of copies to supply probable future demands and any copies in excess of such number."

On motion of Mr. Children the amendments were adopted.

Mr. Schirmer moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Dewar	Gilbert	Holls
Berry	Diltz	Gilbertson	Johnson
Blake	Donhowe	Gilmore	King
Blume	Dooley	Graham	Knutson
Bradley	Doolittle	Grimwood	Leonard
Brady	Dotts	Harrison	Lichty
Brittain	Edge	Hattendorf	Lieberknecht
Buffington	Edson	Hauge	Long
Children	Elliott	Healy	Lovrien
Clark	Gallagher	Held	McClune
Colbert	Garber of Floyd	Hempel	Mathews
Cole	Gesman	Henderson	Matthiesen
Criswell	Gibson	Himebauch	Miller

Moen	Peterson	Schirmer	Strippel
Napier	Quirk	Schulte	Ulstad
Natvig	Ramsey	Scott of	Venard
O'Donnell	Rassler	Appanoose	Vincent
Oliver	Rewoldt	Slemmons	Wamstad
Olson	Rhinehart	Smith of	Weber
Ontjes	Robson	Chickasaw	Williams
Orr	Rust	Smith of Lucas	Wilson
Parsons	Sampson	Stock	Wolfe
Patterson	Saunders	Storey	Mr. Speaker--90

The nays were:

Stookesberry—1

Absent or not voting:

Anderson of	Frahm	Letts	Rumley
Webster	Garber of Adair	Noble	Scott of Fremont
Carter	Hansen	Potts	Yenter—17
Fackler	Huff	Powers	
Forsling	Lake	Rankin	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 17, a bill for an act to amend, revise, and codify chapter fifteen (15) of title two (2) of the supplement to the compiled code of Iowa, relating to deputies for certain state officers, with report of committee recommending passage, was taken up for consideration.

McClune of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Dotts	Hempel	Oliver
Berry	Edge	Henderson	Olson
Blake	Edson	Himebauch	Ontjes
Blume	Elliott	Hollis	Orr
Bradley	Gallagher	Johnson	Parsons
Brady	Garber of Adair	King	Patterson
Brittain	Garber of Floyd	Leonard	Peterson
Buffington	Gibson	Letts	Quirk
Children	Gilbert	Lichty	Ramsey
Clark	Gilbertson	Lieberknecht	Rewoldt
Colbert	Gilmore	Long	Rhinehart
Cole	Grimwood	Lovrien	Robson
Criswell	Hansen	McClune	Rust
Dewar	Harrison	Mathews	Sampson
Diltz	Hattendorf	Miller	Saunders
Donhowe	Hauge	Moen	Schirmer
Dooley	Healy	Napier	Schulte
Doolittle	Held	Natvig	Slemmons

Scott of Appanoose	Stock Stookesberry	Vincent Wamstad	Wolfe
Smith of Chickasaw	Storey Strippel	Weber Williams	Mr. Speaker—87
Smith of Lucas	Venard	Wilson	

The nays were, none.

Absent or not voting:

Anderson of Webster	Gesman Graham	Noble O'Donnell	Rumley
Carter Fackler	Huff Knutson	Potts Powers	Scott of Fremont
Forsling Frahm	Lake Matthiesen	Rankin Rassler	Ulstad
			Yenter—21

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SPECIAL ORDER NO. 1

On request of Clark of Linn, unanimous consent having been obtained, action on Special Order No. 1, House File No. 90, was deferred and the bill was made a special order for Thursday, January 24th, at 11:00 a. m.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 127 and 229.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this twenty-second day of January, 1924, sent to the Governor for his approval:

House Files Nos. 52 and 274.

C. F. LETTS, *Chairman.*

Report adopted.

CONSIDERATION OF BILLS  
SPECIAL ORDER NO. 2

House File No. 130, a bill for an act to amend, revise, and codify section thirty-one hundred thirty-one (3131) of the compiled code of Iowa, and sections thirty-one hundred thirty (3130) and thirty-two hundred forty-one-a three (3241-a3) of the supplement to said code, relating to the powers and duties of boards of supervisors, with report of committee recommending passage, was taken up for consideration.

The following amendments offered by Slemmons of Buchanan were taken up and considered:

Amend House File No. 130 as follows:

By adding thereto as subsection 18, the following:

To appoint commissioners to act with similar commissioners duly appointed in any other county or counties, and to authorize them to lay out, alter or discontinue any highway extending through their own and one or more other counties, subject to the ratification of the board.

By adding as subsection 19 the following:

To lay out, establish, alter or discontinue any highway heretofore laid out, or hereafter to be laid through or within the county, as may be provided by law.

By adding as subsection 20 the following:

To provide for the erection of all bridges which may be necessary, and which the public convenience may require, within their respective counties, and to keep the same in repair, except as is otherwise provided by law.

By adding as subsection 21 the following:

To have and exercise all the powers in relation to the poor given by law to the county authorities, except as otherwise provided by law.

A division of the amendments was asked for.

On the question "Shall the amendment relating to subsection eighteen (18) be adopted?" a roll call was demanded.

The ayes were:

Alken	Gilbertson	Noble	Scott of
Berry	Harrison	Oliver	Appanoose
Blume	Hattendorf	Ontjes	Slemmons
Brady	Leonard	Orr	Stookesberry
Children	Long	Quirk	Storey
Criswell	Mathews	Rassler	Ulstad
Dooley	Miller	Rewoldt	Wolfe
Gesman	Napier		Mr. Speaker—30

## The nays were:

Blake	Gibson	Lichty	Saunders
Bradley	Gilbert	Lieberknecht	Schulte
Brittain	Gilmore	Lovrien	Smith of
Clark	Grimwood	McClune	Chickasaw
Colbert	Hauge	Matthiesen	Smith of Lucas
Cole	Held	Moen	Stock
Dewar	Hempel	O'Donnell	Strippel
Diltz	Henderson	Parsons	Venard
Donhowe	Himebauch	Patterson	Vincent
Doolittle	Hollis	Peterson	Weber
Dotts	Johnson	Ramsey	Williams
Edson	King	Rhinehart	Wilson—53
Gallagher	Knutson	Robson	
Garber of Adair	Letts	Sampson	

## Absent or not voting:

Anderson of	Forsling	Lake	Rust
Webster	Frahm	Natvig	Schirmer
Buffington	Garber of Floyd	Olson	Scott of Fremont
Carter	Graham	Potts	Wamstad
Edge	Hansen	Powers	Yenter—25
Elliott	Healy	Rankin	
Fackler	Huff	Rumley	

The amendment was rejected.

Mr. Slemmons moved the adoption of the remaining amendments.

Amendments rejected.

The following amendments filed by Oliver of Monona were taken up and considered:

Amend House File No. 130 as follows:

1. Amend by adding to said bill immediately following section six (6) thereof the following:

"That section eighty-nine hundred sixty-three (8963) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 7. Personal contracts by supervisors and trustees.

Members of boards of supervisors and township trustees shall not buy from, sell to, or in any manner become parties, directly or indirectly, to any contract for the purchase or sale of any real estate or building, or to furnish supplies, material, or labor to the county or township in which they are respectively members of such board of supervisors or township trustees."

2. Amend the title by striking out the word "section" in the first line and inserting in lieu thereof the word "sections"; also by inserting after the parenthesis "(3131)" the words and figures "and eighty-nine hundred sixty-three (8963)"; also by inserting after the word "supervisors" in line five (5) the words "and township trustees".

Mr. Oliver moved the adoption of the amendments.

**Amendments rejected.**

Gibson of Clarke moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Berry	Gilbert	McClune	Saunders
Blake	Gilmore	Mathews	Schirmer
Blume	Graham	Matthiesen	Schulte
Bradley	Grimwood	Miller	Scott of
Brady	Hansen	Moen	Appanoose
Brittain	Harrison	Napier	Slemmons
Buffington	Hattendorf	Natvig	Smith of
Clark	Hauge	Noble	Chickasaw
Colbert	Healy	O'Donnell	Smith of Lucas
Cole	Held	Oliver	Stock
Criswell	Hempel	Olson	Storey
Dewar	Henderson	Ontjes	Strippel
Donhowe	Himebauch	Orr	Ulstad
Doolittle	Hollis	Parsons	Venard
Dotts	Johnson	Patterson	Vincent
Edge	King	Peterson	Wamstad
Edson	Knutson	Potts	Weber
Elliott	Leonard	Quirk	Williams
Gallagher	Letts	Ramsey	Wilson
Garber of Adair	Lichty	Rhinehart	Mr. Speaker—88
Garber of Floyd	Lieberknecht	Robson	Wolfe
Gesman	Long	Rust	
Gibson	Lovrien	Sampson	

The nays were:

Children	Rassler	Rewoldt	Stookesberry—5
Dooley			

Absent or not voting:

Aiken	Diltz	Gilbertson	Rankin
Anderson of	Fackler	Huff	Rumley
Webster	Forsling	Lake	Scott of Fremont
Carter	Frahm	Powers	Yenter—15

So the bill having received a constitutional majority was declared to have passed the House 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. 237, a bill for an act to amend, revise, and codify sections seven thousand seven hundred ninety-one (7791), seventy-eight hundred

nineteen (7819), seven thousand eight hundred twenty-nine (7829), and seven thousand eight hundred thirty (7830) of the compiled code of Iowa, and sections seven thousand eight hundred thirty-two-a one (7832-a1) to seven thousand eight hundred thirty-two-a four (7832-a4), inclusive, of the supplement to said code, relating to wills and letters of administration.

Also, that the Senate has refused to concur in the House amendments to the following bill:

Senate File No. 149, a bill for an act to amend, revise, and codify section thirty-three hundred eighty-five (3385) of the compiled code of Iowa, relating to land surveys.

L. W. AINSWORTH, *Secretary*.

#### SENATE MESSAGE CONSIDERED

Senate File No. 237, a bill for an act to amend, revise, and codify sections seven thousand seven hundred ninety-one (7791), seventy-eight hundred nineteen (7819), seven thousand eight hundred twenty-nine (7829), and seven thousand eight hundred thirty (7830) of the compiled code of Iowa, and sections seven thousand eight hundred thirty-two-a one (7832-a1) to seven thousand eight hundred thirty-two-a four (7832-a4), inclusive, of the supplement to said code, relating to wills and letters of administration.

Read first and second times and referred to committee on judiciary.

#### INTRODUCTION OF BILL

On request of Parsons of Calhoun, unanimous consent having been obtained, the rule prohibiting the introduction of bills at this time was suspended and the following bill was introduced:

House File No. 287, by Parsons of Calhoun, a bill for an act to appropriate sufficient funds to pay the drainage assessments and accrued interest against the state in connection with the drainage of Tow Head Lake in Calhoun county, and to make the amount of such assessments and interest a lien against said lands in case the state is found not to be the owner thereof.

Read first and second times and referred to committee on drainage.

#### HON. GERRIT KLAY ADDRESSES HOUSE

Venard of Sioux moved that an invitation be extended to the Hon. Gerrit Klay, a former member of this House, to address the House at this time.

Motion prevailed. Mr. Klay was escorted to the Speaker's station, where he briefly addressed the House.

#### AMENDMENTS FILED

Harrison of Pottawattamie filed the following amendment to House File No. 90:

Amend House File No. 90 by adding at the end of section thirty-two (32) the following: Provided, however, that the state board of education shall not authorize the expenditure of more than ten thousand dollars (\$10,000.00) in any fiscal year for any one of the three state institutions named in the preceding section.

Storey of Warren filed the following amendment to House File No. 90:

Amend House File No. 90 by striking out all of section thirty-two (32) and substituting in lieu thereof the following:

"Sec. 32. The contract or contracts for such instruction shall be made without expense to the state, either directly or indirectly."

On motion of Scott of Appanoose the House adjourned until 10:00 a. m. Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 23, 1924.

House met pursuant to adjournment, Speaker pro tempore Ontjes in the chair.

Prayer was offered by the Rev. Arthur Stookesberry of Floris, Iowa.

Journal of January 22d corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Edge of Jasper for the day, on request of Lake of Woodbury; Donhowe of Story for the day, on request of Clark of Linn; Yenter of Johnson for the day, on request of Clark of Linn.

## PETITIONS

Patterson of Kossuth presented a petition from residents of Kossuth county protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Oliver of Monona presented a resolution from Camp No. 2993, and Lovrien of Humboldt from Camps Nos. 2963, 2203 and 60, Royal Neighbors of America, protesting against any fraternal insurance legislation. Referred to committee on insurance.

Wamstad of Mitchell presented a petition from residents of Mitchell county, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Smith of Chickasaw presented a petition from residents of Chickasaw county, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Hattendorf of Osceola presented a petition from residents of Osceola county, favoring the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Ramsey of Butler presented petition from supervisors of Butler county, protesting against any change in the method of selection of county superintendent; also a petition from residents of Butler county, urging amendments in the present fish and game law. Referred to committee on schools and textbooks and fish and game respectively.

Anderson of Webster presented a petition from voters of Webster county, protesting against the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Venard of Sioux moved that the remarks of Hon. Gerrit Klay of Orange City, delivered before the House on January 22d, be printed in the Journal. Motion prevailed.

#### REMARKS OF HON. GERRIT KLAY

Gentlemen of the special session of the General Assembly: It is always with a great deal of pleasure that I come back to visit the House that I served in the Thirty-third, Thirty-fourth and Thirty-fifth General Assemblies, and we, as lawyers, are particularly interested in your present work to revise the code.

We heard from the newspapers that the commission in several instances had amended the law and, instead of strictly confining themselves to revision of the code, attempted to revise the law. Since I have been here it seems to me that, in a measure, you have followed the lead of the commission and I am frank to say that I am somewhat alarmed. If, instead of confining yourselves to writing the law as it is you attempt to change and amend the existing law, you enter upon an unlimited field and tread upon dangerous ground.

I have been informed that amendments are pending to the public utility laws, workmen's compensation act, drainage laws and the election laws, especially the primary election law, and laws regulating future estates, the law of judicial practice and procedure, and numerous other legislative measures, and it seems to me that if you continue along this line one of three things must happen:—First, if you are going to revise the laws instead of the code and give it the necessary study and time, you will be here when the Forty-first General Assembly convenes; or, second, when springtime comes and the birds begin to sing and the trees to bud, you will get restless and tired, like we used to do, and you will want to go to your homes and leave the work unfinished; or, third, you will towards the end rush through the work without giving it the proper attention, which will be worse than the second alternative.

We, as lawyers, are now very busy in the bankruptcy courts, in foreclosing mortgages, trying to collect debts, straightening out the financial difficulties of many of our people due to the deflation, and if you are going to change all our laws by amendments and we have to take them to the

courts again to let them construe the laws and tell us what you meant by your amendments, we will have no rest at all.

I believe that the greatest benefit you can confer on your constituents is to confine yourselves strictly to rewriting the law as it is.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate File No. 291.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### REPORTS OF COMMITTEES

Gibson of Clarke, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred Senate File No. 151, a bill for an act to amend, revise, and codify sections thirty-four hundred twenty-four (3424) to thirty-four hundred thirty-five (3435) inclusive, thirty-four hundred forty (3440), thirty-four hundred forty-one (3441), thirty-four hundred forty-five (3445), thirty-four hundred forty-six (3446), thirty-four hundred forty-nine (3449), thirty-four hundred fifty (3450), thirty-four hundred fifty-three (3453), thirty-four hundred fifty-four (3454), thirty-four hundred fifty-eight (3458) and thirty-four hundred fifty-nine (3459), of the compiled code of Iowa, and sections thirty-four hundred forty-five-a one (3445-a1) and thirty-four hundred forty-five-a two (3445-a2) of the supplement to said code, relating to townships and township 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 be amended as follows, and when so amended the bill do pass:

Amend section twenty (20), line three (3), by inserting after the word "and" and preceding the word "levy" the word "may".

Amend section thirty-one (31) by striking out all of said section after the period following the word "assessor" in line six (6).

D. M. GIBSON, *Chairman.*

Report adopted.

Healy of Hancock, 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. 91, a bill for an act to amend, revise and codify sections two thousand three hundred forty-five (2345), two

thousand three hundred forty-six (2346), two thousand three hundred fifty-two (2352), two thousand three hundred fifty-three (2353) of the compiled code of Iowa, and section two thousand three hundred fifty-four (2354) of the supplement to said code, relating to the state university and the work of the bacteriological laboratory 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, and when so amended the bill do pass:

Amend section six (6) by adding after the period (.) in line six (6) the following:

"The appropriation of five thousand dollars (\$5,000.00) provided for the epidemiological laboratory in section twenty-three hundred forty-six-a one (2346-a1), supplement to the compiled code, to the state university is hereby made available for the use of the laboratory and the work provided for in section four (4)."

E. P. HEALY, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on state educational institutions to whom was referred House File No. 94, a bill for an act to amend, revise and codify sections two thousand four hundred thirty-one (2431), two thousand four hundred thirty-three (2433), two thousand four hundred thirty-four (2434) and two thousand four hundred thirty-five (2435) of the compiled code of Iowa, relating to the Iowa state teachers college, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

E. P. HEALY, *Chairman.*

Report adopted.

Ulstad of Wright, from the committee on labor, submitted the following report:

MR. SPEAKER: Your committee on labor to whom was referred House File No. 46, a bill for an act to amend, revise and codify sections eight hundred seventy-three (873) to eight hundred eighty (880), inclusive, of the compiled code of Iowa and section eight hundred eighty-one (881) of the supplement to said code, relating to the bureau of labor and the labor commissioner, his deputies and inspectors, their duties and 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 as follows, and when so amended the bill do pass:

Amend section nine (9), line one (1), by striking out the comma (,) and by inserting the word "and" after the word "commissioner". Also amend the same line by striking out the words "and inspectors".

Amend section ten (10) by striking out of line six (6) the word "immediately".

Amend subsection two (2) of section fifteen (15) by inserting after the word "chapter" in line thirteen (13) the following: "who shall willfully neglect or refuse to attend or testify at the time and place named in the subpoena".

Amend section fifteen (15), subsection two (2), line twelve (12), by striking out the words "an inspector" and inserting in lieu thereof the word "deputy".

OSCAR ULSTAD, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on labor to whom was referred Senate File No. 47, a bill for an act to amend, revise and codify sections eight hundred ninety-two (892) to eight hundred ninety-eight (898) inclusive, of the compiled code of Iowa, and section eight hundred ninety-one (891) of the supplement to said code, relating to the state free employment bureau, free employment service and employment agencies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

OSCAR ULSTAD, *Chairman*.

Report adopted.

Graham of Wapello, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred Senate File No. 105, a bill for an act to amend, revise, and codify sections two thousand six hundred six (2606) to two thousand six hundred eight (2608), inclusive, of the compiled code of Iowa, 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 do pass.

S. L. GRAHAM, *Acting chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred Senate File No. 109, an act to amend, revise, and codify sections two thousand six hundred forty-one (2641), two thousand six hundred forty-three (2643), and two thousand six hundred forty-six (2646) to two thousand six hundred forty-eight (2648), inclusive, of the compiled code of Iowa, and sections two thousand six hundred thirty-nine (2639), two thousand six hundred forty (2640), and two thousand six hundred forty-two (2642) of the supplement to said code, 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 do pass.

S. L. GRAHAM, *Acting chairman*.

Report adopted.

Children of Pottawattamie, from the committee on animal industry, submitted the following report:

MR. SPEAKER: Your committee on animal industry to whom was referred House File No. 71, a bill for an act to amend, revise, and codify chapter twenty-two (22) of title eight (8) and sections thirty-one hundred forty-two (3142) and thirty-one hundred forty-three (3143) of the compiled code of Iowa, and sections thirty-one hundred thirty-nine-a one (3139-a1) to thirty-one hundred thirty-nine-a three (3139-a3), inclusive, thirty-one hundred thirty-nine-a three-a (3139-a3a), thirty-one hundred thirty-nine-a four (3139-a4) to thirty-one hundred thirty-nine-a fourteen (3139-a14), inclusive, and thirty-one hundred forty (3140) of the supplement to said code, relating to neglected, disabled, and abandoned animals, animals running at large, estrays, dogs and the responsibility therefor, the licensing of dogs, the rights and duties resulting from such licensing or failure to license, and the payment of claims for damages done by dogs and wolves, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section one (1) by striking out of section all of subsection three (3) and substituting therefor the following:

“‘Animal’ or ‘animals’ when used in this chapter shall include and embrace horses, cattle, swine, sheep, goats, mules, asses or other domestic animals.”

Strike out all of subsection four (4) and substitute therefor the following:

“‘Estray’ shall mean any animal unlawfully running at large the ownership of which cannot, with reasonable inquiry in the neighborhood, be ascertained, or any animal which has been abandoned by its owner.”

Amend section two (2) by striking out all of said section and substituting therefor the following:

“All animals shall be restrained by the owners thereof from running at large.”

Amend by substituting for section seven (7) the following:

“An animal shall not be considered as running at large so long as it is under the reasonable care and control of the owner upon the public road for driving or travel thereon.”

Amend by striking out of line ten (10) of section one (1), lines one (1) and five (5) of section eight (8), line one (1) of section nine (9), line one (1) of section ten (10), lines one (1) and eight (8) of section twenty-two (22), and line two (2) of section twenty-three (23) the words “stock or”.

Amend section eleven (11) by striking out of line seven (7) the word “clerk” and substituting therefor the word “trustees”; also by striking out of line seven (7) the words “the township trustees” and substituting therefor the word “they”.

Amend by striking out all of sections twelve (12) and thirteen (13).

Amend section fourteen (14) by striking out the words "township clerk" in line two (2) and substituting therefor the words "trustees present".

Amend section fifteen (15) by substituting for the word "stock" in line five (5), the word "animals".

Amend section twenty-one (21) by substituting for the words "the stock" in line one (1) the words "such animals,".

Amend section twenty-two (22) by inserting in line one (1) between the words "may" and "release" the words "secure the", and between the words "release" and "the", the word "of".

Amend by striking out all of section twenty-seven (27).

Amend by striking out of section thirty-three (33), line one (1), the words "If the estray is stock, the" and inserting in lieu thereof the word "The".

Amend by substituting for section thirty-six (36) the following:

"If the estray be not claimed by the owner within six (6) months from the time it is taken up, the property therein shall vest in the taker-up, if he has complied with the provisions of this chapter."

Amend by striking out of section thirty-nine (39) in line three (3) the words "bred and".

Amend by striking out of line five (5) in section forty-six (46) the word "stock" and substituting therefor the word "animals".

Amend section fifty (50) by striking out of line three (3) the word "stock" and substituting therefor the words "all animals except as otherwise provided".

Amend by striking out lines six (6) and seven (7), section fifty (50), and substituting therefor the following:

"2. For distraining each stallion, jack, bull, boar or buck, one dollar (\$1.00)."

Amend by striking out all of subsection three (3).

Amend by striking out of subsection four (4) the word "stock" and substituting therefor the words "horses, cattle, mules and asses".

Amend by striking out of subsection six (6) line fifteen (15), the word "male".

Amend by striking out of subsection seven (7) line seventeen (17), the words "of stock".

Amend by striking out lines twenty (20) and twenty-one (21) of section fifty (50).

Amend section fifty-two (52) by inserting after the word "any" at the end of line two (2) the word "estrays".

Amend section fifty-six (56) by substituting therefor the following:

"Such application for license may be made after January fifteenth (15th), and at any time for a dog which has come into the possession or ownership of the applicant, or which has reached the age of three (3) months after said date."

Amend section fifty-seven (57) by substituting therefor the following:

"Such application shall be in writing on blanks provided by the county auditor and shall state the breed, sex, age, color, markings, and name, if any, of the dog, and address of the owner and be signed by him."

Amend section sixty-one (61) by striking out the words "Immediately upon" in line three (3), and inserting in lieu thereof the following: "Upon".

W. C. CHILDREN, *Chairman*.

Report adopted.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 276  
CONSIDERED

The report of the conference committee on House File No. 276, submitted on January 22d, was taken up for consideration.

Henderson of Hamilton moved the adoption of the conference committee report and the adoption of the amendments proposed by the conference committee.

On the question "Shall the conference committee report on House File No. 276 and the amendments proposed by said committee be adopted?"

The ayes were:

Anderson of	Garber of Adair	Long	Robson
Webster	Garber of Floyd	Lovrien	Rust
Berry	Gibson	Mathews	Sampson
Blake	Gilbert	Matthiesen	Saunders
Blume	Gilbertson	Moen	Schulte
Bradley	Gilmore	Napier	Scott of
Brittain	Graham	Natvig	Appanoose
Buffington	Grimwood	Noble	Slemmons
Carter	Harrison	O'Donnell	Smith of
Children	Hattendorf	Oliver	Chickasaw
Clark	Hauge	Olson	Smith of Lucas
Colbert	Healy	Ontjes	Stock
Cole	Held	Orr	Stookesberry
Criswell	Hempel	Parsons	Storey
Dewar	Henderson	Patterson	Strippel
Dooley	Hollis	Peterson	Ulstad
Doolittle	Huff	Potts	Venard
Dotts	Johnson	Powers	Vincent
Edson	King	Quirk	Wamstad
Elliott	Lake	Ramsey	Weber
Fackler	Leonard	Rankin	Wilson
Forsling	Letts	Rassler	Wolfe—91
Frahm	Lichty	Rewoldt	
Gallagher	Lieberknecht	Rhinehart	

The nays were:

Knutson                      Miller—2

## Absent or not voting:

Alken	Diltz	Hansen	Schirmer
Anderson of Winnebago	Donhowe	Himebauch	Scott of Fremont
Brady	Edge	McClune	Williams
	Gesman	Rumley	Yenter—15

The report of the conference committee on House File No. 276 and the amendments proposed by said committee were adopted.

## HOUSE RESOLUTION CONSIDERED

Moen of Lyon called up the House resolution relative to consideration of odd-numbered bills, said resolution offered by Mr. Moen on January 19th.

Brittain of Madison moved that the resolution be referred to the committee on code revision. Motion prevailed.

## MOTION TO RECONSIDER

Clark of Linn called up the motion filed to reconsider the vote by which the House refused to concur in the Senate amendments to House File No. 10.

On the question being put, the House reconsidered the vote by which the House refused to concur in the Senate amendments to House File No. 10.

The following amendment filed by Clark of Linn was taken up and considered:

Amend the Senate amendments to House File No. 10, by striking therefrom the amendment adding section seven (7) to the bill, as amended by the House, and substituting in lieu thereof the following:

"Sec. 7. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, the sum of two thousand dollars, (\$2,000.00) annually, for the purpose of paying the expenses provided for in this act."

Children of Pottawattamie offered the following amendment to the amendment by Clark of Linn and moved its adoption:

Amend by inserting after the word "annually" in next to the last line of said amendment the following: "for the biennium ending June thirtieth, nineteen hundred twenty-five (1925)".

Amendment to the amendment adopted.

Clark of Linn moved that the amendment offered by him, as amended, be adopted.

Motion prevailed and the amendment was adopted.

Mr. Clark moved that the House concur in the Senate amendments, as amended, to House File No. 10.

On the question "Shall the House concur?"

The ayes were:

Anderson of	Gibson	Long	Saunders
Webster	Gilbert	Lovrien	Schirmer
Berry	Gilbertson	McClune	Schulte
Blake	Gilmore	Mathews	Scott of
Blume	Graham	Matthiesen	Appanoose
Bradley	Grimwood	Miller	Slemmons
Brady	Hansen	Moen	Smith of
Brittain	Harrison	Napier	Chickasaw
Buffington	Hattendorf	Natvig	Smith of Lucas
Carter	Hauge	O'Donnell	Stock
Children	Healy	Oliver	Stookesberry
Clark	Held	Olson	Storey
Cole	Hempel	Ontjes	Strippel
Criswell	Henderson	Orr	Ulstad
Dewar	Himebauch	Parsons	Vincent
Dooley	Hollis	Patterson	Wamstad
Dotts	Huff	Peterson	Weber
Edson	Johnson	Potts	Williams
Elliott	King	Quirk	Wilson
Fackler	Knutson	Ramsey	Wolfe—89
Forsling	Leonard	Rhinehart	
Frahm	Letts	Robson	
Gallagher	Lichty	Rust	
Garber of Adair	Lieberknecht	Sampson	

The nays were, none.

Absent or not voting:

Aiken	Donhowe	Lake	Rewoldt
Anderson of	Doolittle	Noble	Rumley
Winnebago	Edge	Powers	Scott of Fremont
Colbert	Garber of Floyd	Rankin	Venard
Diltz	Gesman	Rassler	Yenter—19

The House concurred in the Senate amendments, as amended, to House File No. 10.

#### HOUSE INSISTS UPON AMENDMENTS

Gibson of Clarke moved that the House insist upon its amendments to Senate File No. 149. Motion prevailed.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Hauge of Polk, House File No. 270, a bill for an act to amend, revise, and codify sections eighty-one hundred eighty-two (8182), eighty-one hundred eighty-three (8183), and eighty-one hundred eighty-four (8184) of the compiled code of

Iowa, relating to the forfeiture of contracts to sell or to agree to sell an interest in real estate, with Senate amendments found in the House Journal of January 19th, was taken up and the amendments read and considered.

Mr. Hauge 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:

Anderson of Webster	Gallagher Garber of Adair	Letts Lichty	Rankin Rewoldt
Berry	Garber of Floyd	Long	Robson
Blake	Gibson	Lovrien	Sampson
Blume	Gilbert	McClune	Saunders
Bradley	Gilbertson	Mathews	Schirmer
Brady	Gilmore	Matthiesen	Schulte
Brittain	Graham	Miller	Scott of
Buffington	Hansen	Moen	Appanoose
Carter	Harrison	Napier	Slemmons
Children	Hattendorf	Natvig	Smith of
Clark	Hauge	Noble	Chickasaw
Colbert	Healy	O'Donnell	Smith of Lucas
Cole	Held	Oliver	Stock
Criswell	Hempel	Oison	Stookesberry
Dewar	Henderson	Ontjes	Storey
Diltz	Himebauch	Orr	Strippel
Dooley	Hollis	Parsons	Ulstad
Doolittle	Huff	Patterson	Venard
Dotts	Johnson	Peterson	Vincent
Elliott	King	Potts	Wamstad
Fackler	Knutson	Powers	Weber
Forsling	Lake	Quirk	Williams
Frahm	Leonard	Ramsey	Wilson—93

Absent or not voting:

Aiken	Edge	Lieberknecht	Rust
Anderson of Winnebago	Edson Gesman	Rassler Rhinehart	Scott of Fremont Wolfe
Donhowe	Grimwood	Rumley	Yenter—15

The House refused to concur in the Senate amendments to House File No. 270.

#### 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. 231, a bill for an act to amend, revise, and codify sections seven thousand four hundred forty-seven (7447), seven thousand four hundred fifty (7450), seven thousand four hundred fifty-one (7451), and seven thousand five hundred eighty-one (7581) of the compiled code of Iowa, relating to trial and judgment.

Also, 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 amend, revise, and codify section seventy-seven hundred fifty-nine (7759) of the compiled code of Iowa, relating to the examination of debtors in proceedings auxiliary to execution.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 268, a bill for an act to amend, revise, and codify sections seventy-three hundred thirty-two (7332) and seventy-three hundred thirty-three (7333) of the compiled code of Iowa, relating to the statute of frauds.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 246, a bill for an act to amend, revise, and codify sections seventy hundred thirty-two (7032), eighty-four hundred eighty-six (8486), eighty-four hundred ninety (8490), eighty-four hundred ninety-one (8491), eighty-four hundred ninety-five (8495), eighty-four hundred ninety-six (8496), eighty-four hundred ninety-seven (8497), eighty-four hundred ninety-nine (8499), eighty-five hundred (8500), eighty-five hundred two (8502), eighty-five hundred four (8504) and eighty-five hundred twenty-eight (8528) of the compiled code of Iowa, relating to procedure in the supreme court, and qualifications for admission to the bar.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 246

Amend the title to House File No. 246 by adding after the first comma in line two thereof the following words and figures: "seventy hundred thirty-five (7035),".

Amend Sec. 2 by inserting a semicolon (;) in place of the period in line 4 and adding thereto the following: "but, when a motion for new trial, or in arrest of judgment, or for judgment notwithstanding the verdict has been filed, such time for appeal shall be automatically extended so as to permit the same at any time within 60 days after the entry of the ruling upon such motion."

Amend Sec. 5 by inserting a period after the word "made" in line 4 and striking out the words "within the time allowed for taking appeal." contained in lines 4 and 5.

Amend Sec. 9 by inserting between the words "the" and "court" in line 6 thereof the word "supreme".

Amend Sec. 13 by striking therefrom the last sentence and inserting in lieu thereof the following: "The adverse party may file a printed argument

in response. If the party applying for a rehearing shall give notice of oral argument in his petition, then both parties shall be entitled to be heard orally, unless the party giving notice waives argument."

Amend by adding the following:

"That section seventy hundred thirty-five (7035) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Section 15. Fees—how used.

Every applicant for admission shall pay to the clerk of the supreme court an examination fee of five dollars, payable before the examination is commenced. Practitioners from other states seeking admission to practice in this state as provided by law shall pay an admission fee of ten (10) dollars. The fees thus paid to the clerk shall be retained by him as a special fund to be appropriated as otherwise provided; and any amount thereof remaining in his hands unappropriated on the thirtieth day of June of each year shall be turned over to the state treasury."

#### CONSIDERATION OF BILLS

##### SPECIAL ORDER NO. 1

House File No. 20, a bill for an act to amend, revise, and codify chapter one (1) of title four (4), and section eighty-four hundred fifty-six (8456) of the compiled code of Iowa, relating to time of holding elections and the term of office of the officers elected thereat, with majority report of committee recommending amendment and passage, and minority report of committee recommending passage without amendment, was taken up for consideration.

Diltz of Polk moved the previous question.

Motion prevailed.

Stookesberry of Davis moved that Dooley of Van Buren and Gallagher of Iowa each be given five minutes to speak on the question.

The motion having failed to receive a two-thirds vote was declared to have been lost.

Carter of Hardin moved that the minority report of the committee be substituted for the report of the majority.

On the question "Shall the minority report be substituted for the report of the majority?" a roll call was demanded.

## The ayes were:

Blake	Gilbert	Lichty	Robson
Bradley	Gilmore	Lieberknecht	Rust
Carter	Graham	Lovrien	Sampson
Clark	Grimwood	McClune	Saunders
Cole	Hansen	Mathews	Schirmer
Diltz	Hauge	Moen	Smith of
Doolittle	Healy	Natvig	Chickasaw
Edson	Held	O'Donnell	Stock
Elliott	Himebauch	Peterson	Strippel
Forsling	Hollis	Potts	Wamstad
Gallagher	Johnson	Powers	Weber
Garber of Adair	Knutson	Ramsey	Williams
Garber of Floyd	Lake	Rankin	Wilson—54
Gibson	Letts	Rhinehart	

## The nays were:

Aiken	Dotts	Miller	Scott of
Anderson of	Fackler	Napier	Appanoose
Webster	Frahm	Noble	Slemmons
Berry	Gilbertson	Oliver	Smith of Lucas
Blume	Harrison	Olson	Stookesberry
Brady	Hattendorf	Ontjes	Storey
Brittain	Hempel	Orr	Ulstad
Buffington	Henderson	Parsons	Venard
Children	Huff	Patterson	Vincent
Colbert	King	Quirk	Wolfe—47
Criswell	Leonard	Rassler	
Dewar	Long	Rewoldt	
Dooley	Matthiesen	Schulte	

## Absent or not voting:

Anderson of	Donhowe	Gesman	Scott of Fremont
Winnebago	Edge	Rumley	Yenter—7

The minority report was substituted for the report of the majority.

Berry of Monroe offered the following amendment.

Amend House File No. 20 by inserting in line three (3) of section seventeen (17) after the word "attorney" the words "county superintendent of schools".

Clark of Linn raised the point of order that the amendment was out of order.

The Speaker pro tempore ruled that the point was well taken.

Children of Pottawattamie moved that the House now adjourn until 4:00 p. m. today.

Motion lost.

Forsling of Woodbury moved the previous question as applied to the main bill.

Motion prevailed.

On motion of Garber of Adair the minority report of the committee was adopted.

Carter of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gilmore	Mathews	Saunders
Webster	Graham	Matthiesen	Schirmer
Blake	Grimwood	Moen	Schulte
Bradley	Hansen	Natvig	Slemmons
Brady	Hauge	Noble	Smith of
Carter	Healy	O'Donnell	Chickasaw
Clark	Held	Olson	Stock
Colbert	Hempel	Parsons	Storey
Cole	Henderson	Patterson	Strippel
Dewar	Himebauch	Peterson	Venard
Diltz	Hollis	Potts	Vincent
Edson	Johnson	Quirk	Weber
Elliott	King	Ramsey	Williams
Forsling	Lake	Rankin	Wilson
Gallagher	Letts	Rhinehart	Wolfe
Garber of Adair	Lichty	Robson	Yenter—68
Gibson	Lieberknecht	Rust	
Gilbert	Lovrien	Sampson	

The nays were:

Berry	Frahm	Napier	Smith of Lucas
Brittain	Hattendorf	Oliver	Stookesberry—17
Criswell	Huff	Ontjes	
Dotts	Leonard	Rassler	
Fackler	Long	Rewoldt	

Absent or not voting:

Aiken	Dooley	Knutson	Scott of
Anderson of	Doolittle	McClune	Appanoose
Winnebago	Edge	Miller	Scott of Fremont
Blume	Garber of Floyd	Orr	Ulstad
Buffington	Gesman	Powers	Wamstad—23
Children	Gilbertson	Rumley	
Donhowe	Harrison		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### MOTION TO RECONSIDER LAID UPON THE TABLE

Hauge of Polk moved to reconsider the vote by which House File No. 20 passed the House and lay the motion to reconsider upon the table.

Motion prevailed.

BILL SIGNED BY SPEAKER PRO TEMPORE

The Speaker pro tempore of the House announced that, as Speaker pro tempore of the House, he had signed in the presence of the House the following bill: Senate File No. 291.

SENATE MESSAGE CONSIDERED

Senate File No. 231, a bill for an act to amend, revise, and codify sections seven thousand four hundred forty-seven (7447), seven thousand four hundred fifty (7450), seven thousand four hundred fifty-one (7451), and seven thousand five hundred eighty-one (7581) of the compiled code of Iowa, relating to trial and judgment.

Read first and second times and referred to committee on judiciary.

AMENDMENTS FILED

Clark of Linn filed the following amendments to the amendments filed by Children of Pottawattamie to House File No. 90:

Amend amendment No. 1 to House File No. 90 as proposed by Children of Pottawattamie, and found on page 351 of the House Journal, by striking out said amendment No. 1 and inserting in lieu thereof the following:

"Amend section thirty (30) of House File No. 90 by adding thereto the following:

All claims under this section shall be filed with and allowed by the state board of audit in the same manner as may now or hereafter be required in the case of claims for similar expenses by state officers."

Amend amendment No. 6 submitted by Children of Pottawattamie, as shown on page 352 of the House Journal, by striking out the same and inserting in lieu thereof the following:

"6. Amend by striking out all of section twenty-seven (27) following the head note and inserting the following in lieu thereof:

The board shall, biennially, at the time provided by law, report to the governor and the legislature such facts, observations and conclusions respecting each of such institutions as in the judgment of the board should be considered by the legislature. Such report shall contain an itemized account of the receipts and expenditures of the board and finance committee, and also the reports made to the board by the executive officers of the several institutions or a summary thereof, and shall submit budgets for biennial appropriations deemed necessary and proper to be made for the support of the several institutions and for the extraordinary and special expenditures for buildings, betterments and other improvements."

Venard of Sioux filed the following amendment to Senate File No. 151:

Amend Senate File No. 151 by adding immediately after section 29 the following:

"Sec. 29-a1. Bond.

Before such deposit is made, such bank shall file with the clerk a bond with sureties to be approved by the clerk and the township trustees in double the amount which will probably be deposited, conditioned to hold the township harmless from all loss by reason of such deposit or deposits. The clerk or his successor in office shall have a right to bring action on said bond in case of a breach thereof."

Blake of Fayette filed the following amendment to House File No. 66:

Amend House File No. 66 as follows:

Amend section 29 by adding after the period following the word "premiums" in line six (6) thereof the following: "The amount paid for speed events or to secure games or amusements shall not be taken into consideration in this computation." Also by striking out all of paragraph two (2) commencing on line seven (7) of said section twenty-nine (29) and substituting in lieu thereof the following: "2. That no gambling device, sales of intoxicating liquor or other violations of law were permitted on its grounds." Also by striking out all of paragraph three (3) commencing at line eleven (11) of said section and substituting in lieu thereof the following: "3. A full and accurate statement of the receipts and expenditures of the society for the current year showing that all expenses of operating the fair, including premiums, have been paid pro rata, and other statistical data relative to exhibits and attendance for the year."

Amend section 32 by striking out of line eight (8) the words "or the lessee,"; also by striking out the words and figures "two thousand dollars (\$2000.00) in value", and inserting in lieu thereof the words and figures "five thousand dollars (\$5000.00) in value".

Amend section 33 by inserting between the words "may" and "submit" in line one (1) thereof the following: ", upon a petition signed by five per cent (5%) of the qualified voters of the county as shown by the poll books of the last preceding general election,"; also by striking out the words and figure "one (1) of" in lines four (4) and five (5) thereof.

Forsling of Woodbury filed the following amendment to an amendment filed by him on January 21st to House File No. 172:

Amend the amendment to section four (4), House File No. 172, by adding at the end of said amendment the following: "The person asking for the granting, renewal, or extension of a franchise shall pay the costs incurred in holding the election."

On motion of Parsons of Calhoun the House adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 24, 1924.

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

Prayer was offered by the Rev. M. E. Nethercut, pastor of the M. E. church, Bloomfield, Iowa.

Journal of January 23d corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Yenter of Johnson for the remainder of the week, on request of Gilbert of Marshall; Quirk of Sac for the remainder of the week on request of Ontjes of Grundy; Olson of Clinton until Saturday, on request of Brittain of Madison; Potts of Lee for the remainder of the week, on request of O'Donnell of Dubuque; Edge of Jasper for the day, on request of Williams of Montgomery.

## PETITIONS

Carter of Hardin presented a petition from members of Saint Paul's Evangelical Lutheran church, and a resolution from citizens of Eldora, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills: House File No. 258 on January 21st; House Files Nos. 104, 122 and 138 on January 22d.

## SPECIAL ORDER MADE

On request of Children of Pottawattamie, unanimous consent having been obtained, Calendar No. 4, House File No. 68, was made a special order for Wednesday, January 30th, at 10:00 a. m.

## CONFERENCE COMMITTEE APPOINTED

As a conference committee on Senate File No. 149, the Speaker appointed the following members on the part of the House:

Vincent of Guthrie, Diltz of Polk, Gibson of Clarke and Parsons of Calhoun.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 24 and 194.

Senate Files Nos. 17 and 145.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 24 and 194; Senate Files Nos. 17, 145, 127 and 229.

## CONSIDERATION OF BILLS

House File No. 221, a bill for an act to amend, revise, and codify sections six thousand nine hundred eight (6908) and six thousand nine hundred eleven (6911) of the compiled code of Iowa, relating to superior courts, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Bradley of Poweshiek the amendments proposed by the committee, found in the Journal of January 18th, were adopted.

Mr. Bradley moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Garber of Adair	Lieberknecht	Rust
Webster	Garber of Floyd	Long	Saunders
Berry	Gesman	Lovrien	Schlrmer
Blake	Gibson	McClune	Schulte
Blume	Gilbert	Mathews	Scott of
Bradley	Gilbertson	Matthiesen	Appanoose
Brady	Gilmore	Miller	Slemmons
Brittain	Graham	Moen	Smith of
Buffington	Grimwood	Napier	Chickasaw
Carter	Hansen	Natvig	Smith of Lucas
Children	Harrison	Noble	Stock
Clark	Hattendorf	O'Donnell	Stookesberry
Colbert	Healy	Oliver	Storey
Cole	Held	Ontjes	Strippel
Criswell	Hempel	Orr	Ulstad
Dewar	Henderson	Parsons	Venard
Donhowe	Himebauch	Patterson	Vincent
Dooley	Hollis	Peterson	Wamstad
Doolittle	Huff	Powers	Weber
Dotts	Johnson	Ramsey	Williams
Edson	King	Rassler	Wilson
Elliott	Knutson	Rewoldt	Mr. Speaker—94
Fackler	Leonard	Rhinehart	
Frahm	Letts	Robson	
Gallagher	Lichty	Rumley	

The nays were, none.

Absent or not voting:

Aiken	Hauge	Quirk	Wolfe
Diltz	Lake	Rankin	Yenter—14
Edge	Olson	Sampson	
Forsling	Potts	Scott of Fremont	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SPECIAL ORDER NO. 2

House File No. 66, a bill for an act to amend, revise, and codify chapters three (3), five (5), and nine (9) of title eight (8), and sections sixteen hundred fourteen (1614) to sixteen hundred (1616), inclusive, sixteen hundred eighteen (1618) to sixteen hundred twenty-one (1621), inclusive, sixteen hundred twenty-three (1623) to sixteen hundred twenty-five (1625), inclusive, sixteen hundred twenty-eight (1628), sixteen hundred thirty (1630), sixteen hundred thirty-one (1631), and sixteen hundred thirty-eight (1638) to sixteen hundred forty-four (1644), inclusive, of the compiled code of Iowa, and chapters six (6), seven (7), and eight (8) of title eight (8), of the compiled code of Iowa and the supplement to said code, and chapter ten (10) of title eight (8) and sections sixteen hundred twenty-two (1622), sixteen hundred thirty-one-a nine (1631-a9), sixteen hundred

thirty-six-a one (1636-a1) to sixteen hundred thirty-six-a eight (1636-a8), inclusive, and sixteen hundred thirty-seven (1637), of the supplement to said code, relating to state fair and agricultural organizations receiving state aid, with report of committee recommending amendment and passage, was taken up for consideration.

By unanimous consent the committee amendments were amended by striking out the words and figures "July first, nineteen hundred twenty-five (1925)" wherever the same appear in said amendments and inserting in lieu thereof the words and figures "June thirtieth, nineteen hundred twenty-five (1925)".

The following amendment to the committee amendments, filed by Slemmons of Buchanan, was taken up and considered:

Amend the committee amendments to House File No. 66 by striking therefrom all of amendment No. 2 and inserting in lieu thereof the following:

2. Amend section 10 by striking out all of said section after the word "fix," in the second line thereof, and inserting in lieu thereof the following: "but said salary shall in no event be more than five thousand dollars (\$5,000.00) per year."

Mr. Slemmons moved the adoption of the amendment.

A roll call was demanded.

On the question "Shall the amendment by Slemmons of Buchanan to the committee amendments be adopted?"

The ayes were:

Aiken	Garber of Adair	Lichty	Rumley
Anderson of	Garber of Floyd	Lieberknecht	Sampson
Webster	Gesman	Long	Schirmer
Berry	Gilbert	Lovrien	Schulte
Blake	Gilbertson	Mathews	Scott of
Blume	Gilmore	Matthiesen	Appanoose
Brady	Graham	Moen	Slemmons
Brittain	Hansen	Napier	Smith of
Buffington	Harrison	Natvig	Chickasaw
Colbert	Hattendorf	Noble	Smith of Lucas
Cole	Healy	O'Donnell	Stock
Criswell	Held	Oliver	Stookesberry
Donhowe	Hempel	Ontjes	Storey
Doolittle	Henderson	Orr	Strippel
Dotts	Hollis	Parsons	Ulstad
Edson	Huff	Patterson	Vincent
Fackler	King	Peterson	Weber
Frahm	Knutson	Ramsey	Wilson
Gallagher	Leonard	Rewoldt	Mr. Speaker—73

The nays were:

Bradley	Grimwood	Miller	Wamstad
Carter	Hauge	Rhinehart	Williams—17
Diltz	Himebauch	Robson	
Dooley	Johnson	Rust	
Forsling	Letts	Venard	

Absent or not voting:

Children	Gibson	Powers	Scott of Fremont
Clark	Lake	Quirk	Wolfe
Dewar	McClune	Rankin	Yenter—18
Edge	Olson	Rassler	
Elliott	Potts	Saunders	

Amendment to the committee amendments adopted.

Carter of Hardin moved that the committee amendments, as amended, be adopted.

A division of the amendments was called for.

Amendment No. 1 was adopted.

On the question "Shall amendment No. 2, as amended, be adopted?" a roll call was demanded.

The ayes were:

Brady	Himebauch	O'Donnell	Stock
Carter	Hollis	Patterson	Vincent
Colbert	Johnson	Powers	Wamstad
Dewar	King	Ramsey	Weber
Diltz	Lake	Rankin	Williams
Gallagher	Letts	Rhinehart	Wilson—33
Grimwood	Lichty	Robson	
Hauge	Lieberknecht	Rust	
Henderson	Miller	Sampson	

The nays were:

Aiken	Forsling	McClune	Schulte
Anderson of Webster	Frahm	Mathews	Scott of Appanoose
Berry	Garber of Adair	Matthiesen	Slemmons
Blake	Garber of Floyd	Moen	Smith of Chickasaw
Bradley	Gesman	Napier	Smith of Lucas
Brittain	Gibson	Natvig	Stookesberry
Buffington	Gilbert	Noble	Storey
Crisswell	Gilbertson	Oliver	Strippel
Donhowe	Gilmore	Ontjes	Ulstad
Dooley	Graham	Orr	Wolfe
Doolittle	Harrison	Parsons	Mr. Speaker—55
Dotts	Hattendorf	Peterson	
Edson	Hempel	Rewoldt	
Fackler	Leonard	Saunders	
	Long	Schirmer	

Absent or not voting:

Blume	Elliott	Knutson	Rassler
Children	Hansen	Lovrien	Rumley
Clark	Healy	Olson	Scott of Fremont
Cole	Held	Potts	Venard
Edge	Huff	Quirk	Yenter—20

Amendment No. 2 rejected.

The remaining committee amendments, Nos. 3 to 30, inclusive, as amended, were adopted.

The following amendment filed by Hansen of Scott was taken up for consideration:

Amend House File No. 66 by striking out all of section 36 and substituting in lieu thereof the following:

A board of supervisors of any county which has acquired real estate for county or district fair purposes and which has a society using said real estate, or in a county having a population of fifty thousand (50,000) or over in which there is a society owning and using real estate for fair purposes, may levy a tax not to exceed one-half ( $\frac{1}{2}$ ) mill upon all the taxable property of the county, the funds realized therefrom to be known as fair ground fund, provided, however, that should any such society discontinue to use such real estate for fair purposes and there be any of such fund remaining, it shall be paid into the general fund of the county before any money can be paid back to the stockholders.

Ontjes of Grundy offered the following amendment to the amendment by Hansen of Scott:

Amend the amendment by Hansen of Scott by striking from line five (5) thereof the words and figures "fifty thousand (50,000)" and inserting in lieu thereof the words and figures "ten thousand (10,000)".

Parsons of Calhoun offered the following amendment as a substitute for the amendment filed by Hansen of Scott:

Amend House File No. 66 by striking out all of section 36.

On the question "Shall the amendment offered by Parsons of Calhoun be substituted for the amendment filed by Hansen of Scott?" a roll call was demanded.

The ayes were:

Aiken	Garber of Floyd	Noble	Smith of Lucas
Berry	Hattendorf	Oliver	Stokesberry
Blume	Hempel	Orr	—19
Brittain	Leonard	Parsons	
Dooley	Long	Scott of	
Dotts	Napier	Appanoose	

The nays were:

Anderson of	Gallagher	Lichty	Saunders
Webster	Garber of Adair	McClune	Schirmer
Blake	Gesman	Mathews	Schulte
Bradley	Gibson	Matthiesen	Stemmons
Brady	Gilbert	Miller	Smith of
Buffington	Graham	Moen	Chickasaw
Carter	Grimwood	O'Donnell	Stock
Children	Hansen	Ontjes	Storey
Clark	Harrison	Patterson	Strippel
Colbert	Hauge	Peterson	Venard
Cole	Healy	Powers	Vincent
Dewar	Held	Ramsey	Wamstad
Diltz	Henderson	Rankin	Weber
Donhowe	Himebauch	Rassler	Williams
Doolittle	Hollis	Rewoldt	Wilson
Edson	Johnson	Rhinehart	Wolfe
Elliott	King	Robson	Mr. Speaker—75
Fackler	Knutson	Rumley	
Forsling	Lake	Rust	
Frahm	Letts	Sampson	

Absent or not voting:

Criswell	Huff	Olson	Ulstad
Edge	Lieberknecht	Potts	Yenter—14
Gilbertson	Lovrien	Quirk	
Gilmore	Natvig	Scott of Fremont	

The House refused to substitute the amendment by Parsons of Calhoun for the amendment by Hansen of Scott.

#### SPECIAL ORDER NO. 4

Time having arrived for Special Order No. 4, House File No. 90 was taken up for consideration.

On request of Clark of Linn, unanimous consent having been obtained, action on House File No. 90 was deferred and the bill was made a special order for Tuesday, January 29th, at 10:30 a. m.

The House resumed consideration of House File No. 66.

The question was on the amendment by Ontjes of Grundy to the amendment by Hansen of Scott.

Patterson of Kossuth moved the previous question as applied to the amendment by Ontjes of Grundy.

Motion prevailed.

Mr. Ontjes moved the adoption of the amendment and demanded a roll call.

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

The ayes were:

Blake	Hansen	Lake	Rewoldt
Children	Harrison	Letts	Rumley
Criswell	Healy	Lichty	Sampson
Doolittle	Himebauch	Moen	Saunders
Elliott	Hollis	Ontjes	Schirmer
Forsling	Johnson	Ramsey	Strippel
Gesman	King	Rankin	Ulstad—28

The nays were:

Aiken	Gallagher	Mathews	Schulte
Anderson of Webster	Garber of Floyd	Miller	Scott of Appanoose
Berry	Gibson	Napier	Slemmons
Blume	Gilbertson	Natvig	Smith of Lucas
Brady	Gilmore	Noble	Stock
Brittain	Grimwood	O'Donnell	Stookesberry
Buffington	Hattendorf	Oliver	Storey
Carter	Hauge	Orr	Venard
Clark	Held	Parsóns	Vincent
Cole	Hempel	Patterson	Wamstad
Dewar	Henderson	Peterson	Weber
Dooley	Huff	Powers	Wilson
Dotts	Leonard	Rassler	Wolfe
Edson	Lieberknecht	Rhinehart	Mr. Speaker—61
Frahm	Long	Robson	
	McClune	Rust	

Absent or not voting:

Bradley	Fackler	Lovrien	Scott of Fremont
Colbert	Garber of Adair	Matthiesen	Smith of Chickasaw
Diltz	Gilbert	Olson	Williams
Donhowe	Graham	Potts	Yenter—19
Edge	Knutson	Quirk	

Amendment rejected.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend the amendment by Hansen of Scott by inserting after the word "county" in line one (1) thereof the following: ", when authorized by a vote of the people to levy a tax as provided in section 33 thereof."

Amendment rejected.

Bradley of Poweshiek moved the previous question as applied to the amendment by Hansen of Scott.

Motion prevailed.

On the question "Shall the amendment by Hansen of Scott be adopted?" a roll call was demanded.

The ayes were:

Blake	Graham	Lake	Rumley
Diltz	Hansen	Lichty	Sampson—14
Ellmott	Himebauch	Rankin	
Forsling	Hollis	Rhinehart	

The nays were:

Alken	Gallagher	Miller	Schulte
Anderson of Webster	Garber of Floyd	Moen	Scott of Appanoose
Berry	Gesman	Napier	Slemmons
Blume	Gibson	Natvig	Smith of Chickasaw
Bradley	Gilbertson	Noble	Smith of Lucas
Brady	Gilmore	O'Donnell	Stock
Brittain	Grimwood	Oliver	Stookesberry
Buffington	Harrison	Ontjes	Storey
Carter	Hattendorf	Orr	Strippel
Children	Hauge	Parsons	Ulstad
Colbert	Held	Patterson	Venard
Dewar	Hempel	Peterson	Vincent
Donhowe	Henderson	Powers	Wamstad
Dooley	Huff	Ramsey	Weber
Doolittle	Johnson	Rassler	Williams
Dotts	Leonard	Rewoldt	Wilson
Edson	Letts	Robson	Wolfe
Fackler	Lieberknecht	Rust	Mr. Speaker—77
Frahm	Long	Saunders	
	Mathews	Schirmer	

Absent or not voting:

Clark	Gilbert	McClune	Scott of Fremont
Cole	Healy	Matthiesen	Yenter—17
Criswell	King	Olson	
Edge	Knutson	Potts	
Garber of Adair	Lovrien	Quirk	

Amendment rejected.

The amendments filed by Blake of Fayette and found in the Journal of January 23d were taken up for consideration.

A division of the amendments was called for.

Mr. Blake moved the adoption of his amendments to section 29.

Amendments rejected.

Mr. Blake moved the adoption of his amendments to section 32.

Amendments rejected.

Mr. Blake moved the adoption of the following amendments to section 33:

Amend section 33 by inserting between the words "may" and "submit" in line one (1) thereof the following: " , upon a petition signed by five per cent (5%) of the qualified voters of the county as shown by the poll

books of the last preceding general election,"; also by striking out the words and figure "one (1) of" in line four (4) and five (5) thereof.

Wamstad of Mitchell moved to amend the amendments by striking out the words and figure "five per cent (5%)" and inserting in lieu thereof the words and figures "twenty-five per cent (25%)".

Amendment to the amendments adopted.

On the question "Shall the amendments by Blake of Fayette, as amended, be adopted?" a roll call was demanded.

The ayes were:

Aiken	Garber of Floyd	Long	Scott of
Anderson of	Gesman	Mathews	Appanoose
Webster	Gilbertson	Matthiesen	Smith of
Blake	Gilmore	Napier	Chickasaw
Blume	Graham	Natvig	Smith of Lucas
Bradley	Hansen	Oliver	Storey
Brady	Hattendorf	Parsons	Strippel
Brittain	Hauge	Patterson	Ulstad
Buffington	Hempel	Peterson	Wamstad
Children	Henderson	Ramsey	Weber
Colbert	Himebauch	Rassler	Williams
Criswell	Huff	Rewoldt	Wilson
Donhowe	Johnson	Rhinehart	Wolfe
Dotts	Knutson	Saunders	Mr. Speaker—62
Edson	Leonard	Schirmer	
Fackler	Letts	Schulte	
Frahm	Lichty	Slemmons	

The nays were:

Berry	Gallagher	Ontjes	Stock
Carter	Grimwood	Orr	Stookesberry
Dewar	King	Robson	Venard—15
Dooley	O'Donnell	Rust	

Absent or not voting:

Clark	Gibson	Lovrien	Quirk
Cole	Gilbert	McClune	Rankin
Diltz	Harrison	Miller	Rumley
Doolittle	Healy	Moen	Sampson
Edge	Held	Noble	Scott of Fremont
Elliott	Hollis	Olson	Vincent
Forsling	Lake	Potts	Yenter—31
Garber of Adair	Lieberknecht	Powers	

The amendments, as amended, were adopted.

On motion of Buffington of Mills the House adjourned until 3 p. m. today.

## AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Strippel of Benton for the afternoon, on request of Stock of Allamakee.

## REPORTS OF COMMITTEES

Graham of Wapello, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections to whom was referred Senate File No. 31, a bill for an act to amend, revise, and codify sections six hundred (600), six hundred nine (609), and six hundred ten (610) of the compiled code of Iowa, relating to the time and manner of qualifying of elected or appointed 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.

S. L. GRAHAM, *Chairman.*

Report adopted.

Forsling 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. 153, a bill for an act to amend, revise, and codify sections three thousand four hundred seventy-one (3471) to three thousand four hundred seventy-three (3473), inclusive, three thousand four hundred seventy-nine (3479) to three thousand four hundred eighty-one (3481), inclusive, thirty-four hundred eighty-four (3484), three thousand four hundred eighty-eight (3488), three thousand four hundred ninety-seven (3497) three thousand five hundred four (3504), and three thousand five hundred nineteen (3519) of the compiled code of Iowa relating to municipal 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 do pass.

L. B. FORSLING, *Chairman.*

Report adopted.

Gilbert of Marshall, from the committee on code revision, submitted the following report:

MR. SPEAKER: Your committee on code revision to whom was referred House Resolution by Moen, resolution relative to the consideration and report by committees of odd numbered bills, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the resolution be adopted:

Amend by adding thereto the following:

"Provided, however, that no odd-numbered House bill shall be put on its passage in the House, except upon recommendation of the chairman of the House committee after agreement with the chairman of the Senate committee having charge of the companion bill."

F. B. GILBERT, *Chairman.*

Report adopted.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this twenty-fourth day of January, 1924, sent to the Governor for his approval:

House Files Nos. 24 and 194.

C. F. LETTS, *Chairman.*

Report adopted.

#### PENDING BUSINESS

The House resumed consideration of House File No. 66.

Oliver of Monona offered the following amendment and moved its adoption:

Amend section thirty-four (34) of House File No. 66 by inserting after the word "proposition" in line one (1) the words "and the affirmative vote shall also be as large as a majority of all the legal votes cast at the last preceding general election".

Amendment adopted.

Carter of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Carter of Hardin moved to reconsider the vote by which House File No. 66 passed to its third reading.

Motion lost.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Brady	Clark	Diltz
Webster	Brittain	Colbert	Donhowe
Blake	Buffington	Cole	Doolittle
Blume	Carter	Criswell	Dotts
Bradley	Children	Dewar	Edson

Elliott	Henderson	Natvig	Schirmer
Fackler	Himebauch	Noble	Schulte
Forsling	Hollis	O'Donnell	Slemmons
Gallagher	Huff	Oliver	Smith of
Garber of Adair	Johnson	Ontjes	Chickasaw
Garber of Floyd	King	Orr	Stock
Gesman	Knutson	Parsons	Storey
Gibson	Lake	Patterson	Ulstad
Gilbert	Leonard	Peterson	Venard
Gilbertson	Letts	Powers	Vincent
Gilmore	Lichty	Ramsey	Wamstad
Graham	Lieberknecht	Rankin	Weber
Grimwood	Long	Rassler	Williams
Hansen	Lovrien	Rewoldt	Wilson
Hattendorf	McClune	Rhinehart	Wolfe
Hauge	Mathews	Robson	Mr. Speaker—91
Healy	Miller	Rumley	
Held	Moen	Sampson	
Hempel	Napier	Saunders	

The nays were:

Aiken	Scott of	Stookesberry
Dooley	Appanoose	—6
Frahm	Smith of Lucas	

Absent or not voting:

Berry	Matthiesen	Quirk	Strippel
Edge	Olson	Rust	Yenter—11
Harrison	Potts	Scott of Fremont	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### SPECIAL ORDER NO. 3

Special Order No. 3, House File No. 212, was taken up for consideration.

On motion of Diltz of Polk action on House File No. 212 was deferred.

House File No. 218, a bill for an act to amend, revise, and codify section sixty-six hundred eighty-six (6686) and chapter ten (10) of title twenty-six (26) of the compiled code of Iowa, relating to adoption, and master and apprentice, with report of committee recommending passage, was taken up for consideration.

Vincent of Guthrie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Frahm	Lichty	Robson
Anderson of Webster	Gallagher	Lieberknecht	Rumley
Berry	Garber of Adair	Long	Sampson
Blake	Garber of Floyd	Lovrien	Saunders
Blume	Gesman	McClune	Schirmer
Bradley	Gibson	Mathews	Schulte
Brady	Gilbert	Matthiesen	Scott of Appanoose
Brittain	Gilbertson	Miller	Slemmons
Buffington	Gilmore	Moen	Smith of Lucas
Carter	Graham	Napiér	Stock
Children	Grimwood	Natvig	Stookesberry
Clark	Hattendorf	Noble	Storey
Colbert	Hauge	O'Donnell	Ulstad
Cole	Healy	Oliver	Venard
Dewar	Held	Ontjes	Vincent
Diltz	Hempel	Orr	Wamstad
Donhowe	Henderson	Parsons	Weber
Dooley	Himebauch	Patterson	Williams
Doolittle	Hollis	Peterson	Wilson
Dotts	Huff	Powers	Wolfe
Edge	Johnson	Ramsey	Mr. Speaker—95
Elliott	King	Rankin	
Fackler	Knutson	Rassler	
Forsling	Leonard	Rewoldt	
	Letts	Rhinehart	

The nays were:

Smith of  
Chickasaw—1

Absent or not voting:

Criswell	Harrison	Potts	Scott of Fremont
Edson	Lake	Quirk	Strippel
Hansen	Olson	Rust	Yenter—12

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 241

Diltz of Polk, from the conference committee on Senate File No. 241, submitted the following report:

MR. SPEAKER: The conference committee to which was referred Senate File No. 241, a bill for an act to amend, revise and codify sections eight thousand one hundred sixty (8160), eight thousand one hundred sixty-one (8161), eight thousand one hundred sixty-six (8166), and eight thousand one hundred seventy-eight (8178) of the compiled code of Iowa relating to the foreclosure and release of mortgages and sales under pledge, begs leave to report that it has had the same under consideration and that it recommends that the differences between the Senate and House be composed and settled upon the following basis:

1. That the House amendment amending section three (3) of the bill

by striking out all after the word "debt" in line six (6) thereof, be adopted.

2. That section four (4) of the bill be as follows:

"Sec. 4. The pledgee shall take the address of the pledgor at the time the pledge is made and in all cases the notice shall be served upon the pledgor by registered mail addressed to the address given by the pledgor at the time the property was pledged or at his last known address. If the pledgor is a resident of the county in which the property was held the notice shall be posted for ten (10) days in three (3) public places in the township of the pledgor's residence. If the pledgor is not a resident of the county where the property is held such notice shall be posted for ten (10) days in three (3) public places of such county and such notice shall contain a full and accurate description of the property to be sold, the day and hour when, and the place at which the same will be sold. If redemption is not made before the date thus fixed, the pledgee may sell at public auction, to the highest bidder, the pledged property, or so much of the same as may be necessary to pay the debt, interest, and all costs of making such sale, and may be a bidder at such sale. He shall apply the proceeds, first, in the payment of such costs, and second, to the payment of the debt. Any surplus arising from the sale and any property remaining unsold shall be paid or returned to the pledgor or his assigns."

3. That in all other respects the bill remain as passed by the House.

VOLNEY DILTZ  
 FRED C. LOVRIEN  
 W. C. EDSON  
 FRANK W. ELLIOTT  
 J. E. WICHMAN  
 L. THURSTON  
 H. A. DARTING  
 W. A. CALDWELL

Diltz of Polk moved the adoption of the conference committee report and the adoption of the amendments proposed by the conference committee.

On the question "Shall the conference committee report on Senate File No. 241 and the amendments proposed by said committee be adopted?"

The ayes were:

Anderson of	Colbert	Fackler	Graham
Webster	Cole	Forsling	Grimwood
Berry	Criswell	Frahm	Hattendorf
Blake	Dewar	Gallagher	Hauge
Blume	Diltz	Garber of Adair	Healy
Bradley	Donhowe	Garber of Floyd	Held
Brady	Dooley	Gesman	Hempel
Brittain	Doolittle	Gibson	Henderson
Carter	Dotts	Gilbert	Hollis
Children	Edge	Gilbertson	Huff
Clark	Elliott	Gilmore	Johnson

King	Moen	Rassler	Smith of Lucas
Knutson	Napier	Rewoldt	Stock
Leonard	Natvig	Robson	Stookesberry
Letts	Noble	Sampson	Storey
Lichty	Oliver	Saunders	Ulstad
Lieberknecht	Ontjes	Schirmer	Wamstad
Long	Orr	Schulte	Weber
Lovrien	Parsons	Scott of	Williams
McClune	Patterson	Appanoose	Wilson
Mathews	Peterson	Slemmons	Wolfe
Matthiesen	Powers	Smith of	Mr. Speaker—88
Miller	Rankin	Chickasaw	

The nays were, none.

Absent or not voting:

Alken	Himebauch	Quirk	Scott of Fremont
Buffington	Lake	Ramsey	Strippel
Edson	O'Donnell	Rhinehart	Venard
Hansen	Olson	Rumley	Vincent
Harrison	Potts	Rust	Yenter—20

The report of the conference committee on Senate File No. 241 and the amendments proposed by said committee 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. 292, a bill for an act to legalize the action of the Board of directors, of the school township of Elkhorn, Plymouth county, Iowa, in the transfer of certain funds from the general fund to the schoolhouse fund of said school township.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 289, a bill for an act to legalize the levy and collection by the board of supervisors and treasurer of Monroe county, Iowa, of a cemetery tax of five-tenths (.5) of one mill (.001) on the dollar, of the taxable property of Monroe county, Iowa, for the year 1922.

Also, that the Senate has adopted the report of the conference committee and concurred in the amendments proposed on House File No. 276, a bill for an act to amend, revise and codify the law relating to theaters, moving picture shows, pool and billiard rooms or tables, dance halls, skating rinks, club houses, road houses, amusement parks or bowling alleys.

Also, that the Senate has adopted and concurred in the report of the Conference Committee on Senate File No. 241, a bill for an act to amend, revise, and codify the law relating to foreclosure and release of mortgages, and sales under pledges.

Also, that the Senate has concurred in the House amendments to Senate

File No. 129, a bill for an act to amend, revise, and codify the law relating to boards of supervisors.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 160, a bill for an act to amend the law relating to boards of public works in municipal corporations.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 160

Amend by striking out all after the enacting clause, and substituting in lieu thereof the following:

"Section 1. That chapter ten (10) title thirteen (13), being sections three thousand six hundred eighty-seven (3687) to three thousand seven hundred three (3703), inclusive, of the compiled code of Iowa, be and the same is hereby repealed."

Amend by striking the title, and substituting in lieu thereof the following:

"An act to repeal chapter ten (10) title thirteen (13), being sections three thousand six hundred eighty-seven (3687) to three thousand seven hundred three (3703), inclusive, of the compiled code of Iowa, relating to boards of public works in certain cities."

#### SENATE MESSAGES CONSIDERED

Senate File No. 289, a bill for an act to legalize the levy and collection by the board of supervisors and treasurer of Monroe county, Iowa, of a cemetery tax of five-tenth (.5) of one mill (.001) on the dollar, of the taxable property of Monroe county, Iowa, for the year 1922.

Read first and second times and referred to committee on judiciary.

Senate File No. 292, a bill for an act to legalize the action of the board of directors, of the school township of Elkhorn, Plymouth county, Iowa, in the transfer of certain funds from the general fund to the schoolhouse fund of said school township.

Read first and second times and referred to committee on judiciary.

#### AMENDMENTS FILED

Dooley of Van Buren filed the following amendments to the substitute for House File No. 54:

Amend the committee substitute for House File No. 54 as follows:

Amend section fourteen (14) of said bill by striking from line one (1)

thereof the words "fish in the waters of this state, or"; also strike from lines four (4) and five (5) thereof the following: "Persons under eighteen (18) years of age may fish in the waters of this state, and"; also capitalize the first letter of the word "owners" where it first appears in line five (5) of said section.

Amend section sixteen (16) of said bill by striking from line five (5) thereof the words "fish and"; also by striking from line six (6) thereof the words "on private waters, or".

Amend section seventeen (17) of said bill by striking the words "fish and" where they appear following the word "to" in line one (1) of said section; also amend said section by striking the words "and fishing" where they appear following the word "hunting" in line six (6); also amend said section by striking from lines ten (10) and eleven (11) thereof, the words "fishing with hook and line and trot-line and".

Amend section nineteen (19) of said bill by striking from lines three (3) and four (4) thereof the words "to fish with hook and line and trot-line and"; also by striking the words "either fish with hook and line and trot-line, or, to" in lines six (6) and seven (7) thereof; also by striking the words "fish, nor to" from line ten (10); also strike from lines thirteen (13) and fourteen (14) of said section the words "combination fishing and hunting licenses and all".

O'Donnell of Dubuque filed the following amendment as a substitute for his amendment filed January 17th to House File No. 212:

Amend section fifty-eight (58) of House File No. 212 by adding at the end thereof the following:

"Such lien shall be subject to the lien of the holder of a chattel mortgage, or the claim of the vendor or his assignee, under a conditional sale contract providing such instrument was recorded prior to the rendering of service or furnishing of materials."

Hauge of Polk filed the following amendment to the committee amendments to House File No. 212:

Amend committee amendment to House File No. 212, section sixty (60), as found in the Journal of January 8th on page 265 by adding at the end thereof the following:

"Such lien shall terminate when the person entitled thereto parts with the possession."

#### CONSIDERATION OF BILLS

House File No. 172, a bill for an act to amend, revise, and codify sections three thousand nine hundred sixty-six (3966) to three

thousand nine hundred sixty-nine (3969), inclusive, three thousand nine hundred seventy-two (3972), three thousand nine hundred seventy-six (3976), and three thousand nine hundred seventy-seven (3977) of the compiled code of Iowa, and section four thousand six (4006) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

The following amendment filed by Forsling of Woodbury was taken up for consideration:

Amend House File No. 172 by striking all of section 4 and by inserting in lieu thereof the following:

"The council may order any of the questions provided for in the three (3) preceding sections submitted to a vote at a general or municipal election, or at one specially called for that purpose, or the mayor shall submit said question to such a vote upon the petition of twenty-five (25) property owners of each voting precinct in a city, or of fifty (50) property owners of any incorporated town. Notice of the election shall be given by publication once each week for four (4) consecutive weeks in some newspaper published in the county and of general circulation in the city or town. The election shall be held on a day not less than five (5) nor more than twenty (20) days after the last publication of notice."

Mr. Forsling moved the adoption of the following amendment to the amendment:

Amend the amendment to section four (4), House File No. 172, by adding at the end of said amendment the following: "The person asking for the granting, renewal, or extension of a franchise shall pay the costs incurred in holding the election."

Amendment to the amendment adopted.

On motion of Mr. Forsling the amendment to section four (4), as amended, was adopted.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend section three (3) of House File No. 172 by inserting after the word "purchase" in line three (3) the following: "for such works or plants".

Amendment adopted.

The following amendments filed by Forsling of Woodbury to the committee amendments were taken up and considered:

Amend committee amendment No. 4 to House File No. 172 by inserting between the words "be" and "acquired" in line 3 the word "so", and by striking the period (.) at the end of such amendment and inserting in lieu thereof the following: "for such purposes for any such acquired property."

On motion of Mr. Forsling the amendments to the committee amendments were adopted.

On motion of Blake of Fayette the amendments proposed by the committee, as amended, were adopted.

Mr. Blake moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Edson of Buena Vista moved to reconsider the vote by which House File No. 172 passed to its third reading.

McClune of Mahaska moved that the House now adjourn until 9:30 a. m. Friday.

Himebauch of Emmet moved to amend the motion by changing the hour from 9:30 a. m. to 9:00 a. m.

Amendment lost.

Motion of McClune of Mahaska prevailed and the House stood adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 25, 1924.

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

Prayer was offered by the Rev. J. G. Waterman, pastor of the M. E. church, Manson, Iowa.

Journal of January 24th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Harrison of Pottawattamie for the remainder of the week, on request of Children of Pottawattamie; McClune of Mahaska for the remainder of the week, on request of Lovrien of Humboldt.

## PETITION

Patterson of Kossuth presented a resolution from residents of Kossuth county, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 28, 234 and 268.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 28, 234 and 268.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on January 23d, approved the following bills: House Files Nos. 274 and 52.

## BUSINESS PENDING

The House resumed consideration of House File No. 172.

The question was on the motion of Edson of Buena Vista that the House reconsider the vote by which House File No. 172 passed to its third reading.

On the question "Shall the House reconsider the vote by which House File No. 172 passed to its third reading?"

The ayes were:

Anderson of	Forsling	Lichty	Rust
Webster	Frahm	Lieberknecht	Sampson
Berry	Gallagher	Long	Saunders
Blake	Garber of Adair	Lovrien	Schirmer
Bradley	Garber of Floyd	Mathews	Schulte
Brady	Gesman	Matthiesen	Slemmons
Brittain	Gibson	Miller	Smith of
Buffington	Gilbert	Moen	Chickasaw
Carter	Gilbertson	Napier	Smith of Lucas
Children	Gilmore	Natvig	Stock
Clark	Graham	Noble	Stokesberry
Colbert	Grimwood	O'Donnell	Storey
Cole	Hauge	Oliver	Strippel
Criswell	Healy	Ontjes	Ulstad
Dewar	Held	Parsons	Venard
Donhowe	Hempel	Patterson	Vincent
Dooley	Henderson	Peterson	Wamstad
Doolittle	Himebauch	Powers	Weber
Dotts	Hollis	Rankin	Wilson
Edge	King	Rassler	Wolfe
Edson	Knutson	Rewoldt	Mr. Speaker—88
Elliott	Leonard	Rhinehart	
Fackler	Letts	Robson	

The nays were:

Blume	Orr	Scott of
Hattendorf		Appanoose—4

Absent or not voting:

Aiken	Huff	Olson	Rumley
Diltz	Johnson	Potts	Scott of Fremont
Hansen	Lake	Quirk	Williams
Harrison	McClune	Ramsey	Yenter—16

So the House reconsidered the vote by which House File No. 172 passed to its third reading.

Hauge of Polk offered the following amendments and moved their adoption:

Amend House File No. 172 by striking therefrom all of section twelve (12).

Also amend by striking out the three lines preceding section eleven (11) and inserting in lieu thereof the following:

"That section three thousand nine hundred seventy-two (3972) of the compiled code of Iowa is amended, revised and codified to read as follows:".

Also amend the title by striking therefrom the following: "and section four thousand six (4006) of the supplement to said code,".

Amendments adopted.

Mr. Hauge moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blake	Garber of Floyd	King	Rust
Bradley	Gesman	Knutson	Sampson
Brady	Gibson	Letts	Saunders
Brittain	Gilbert	Lichty	Schulte
Buffington	Gilmore	Long	Smith of
Clark	Graham	Lovrien	Chickasaw
Colbert	Grimwood	Matthiesen	Stock
Cole	Hansen	Natvig	Storey
Dewar	Hauge	Noble	Strippel
Doolittle	Healy	O'Donnell	Vincent
Dotts	Held	Ontjes	Wamstad
Edson	Hempel	Patterson	Weber
Elliott	Henderson	Peterson	Williams
Forsling	Himebauch	Rankin	Wilson
Gallagher	Hollis	Rhinehart	Wolfe
Garber of Adair	Johnson	Robson	Mr. Speaker—63

The nays were:

Aiken	Dooley	Mathews	Rewoldt
Anderson of	Edge	Miller	Scott of
Webster	Fackler	Moen	Appanoose
Berry	Frahm	Napier	Slemmons
Blume	Gilbertson	Oliver	Smith of Lucas
Carter	Hattendorf	Orr	Stookesberry-
Children	Huff	Parsons	Ulstad
Criswell	Leonard	Rassler	Venard—30

Absent or not voting:

Diltz	Lieberknecht	Powers	Schirmer
Donhowe	McClune	Quirk	Scott of Fremont
Harrison	Olson	Ramsey	Yenter—15
Lake	Potts	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### SPECIAL ORDER NO. 1

House File No. 212, a bill for an act to amend, revise, and codify chapter seven (7) of title twenty-one (21) and chapters one (1) to six (6), inclusive, of title twenty-four (24) of the compiled code of Iowa and of the supplement to said code, relating to certain special liens, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Doolittle of Delaware the amendments proposed by the committee to sections nineteen (19) and forty-seven (47), found in the Journal of January 8th, were adopted.

The following amendment filed by O'Donnell of Dubuque was taken up for consideration:

Amend section fifty-eight (58) of House File No. 212 by adding at the end thereof the following:

"Such lien shall be subject to the lien of the holder of a chattel mortgage, or the claim of the vendor or his assignee, under a conditional sale contract providing such instrument was recorded prior to the rendering of service or furnishing of materials."

Mr. O'Donnell moved that the amendment be substituted for the amendment filed by him on January 17th.

Motion to substitute lost.

The following amendment filed by O'Donnell of Dubuque on January 17th to the committee amendments was taken up and considered:

Amend the committee amendments to House File No. 212 by striking out the period (.) at the end of section 58 and adding thereto the following: ", but such lien shall be subject to all prior liens."

By unanimous consent the words "of record" were inserted after the word "liens" at the end of the amendment.

On motion of Mr. O'Donnell the amendment was adopted.

Clark of Linn offered the following amendment to the committee amendments and moved its adoption:

Amend the committee amendment to section fifty-eight (58) by striking from line four (4) the word "special".

Amendment adopted.

On motion of Doolittle of Delaware the committee amendment to section fifty-eight (58), as amended, was adopted.

On motion of Mr. Doolittle the committee amendment to section fifty-nine (59) was adopted.

The amendment filed by Hauge of Polk on January 24th to the committee amendments was taken up and considered.

Mr. Hauge moved the adoption of the amendment.

Amendment rejected.

Oliver of Monona offered the following amendment to the committee amendments and moved its adoption:

Amend committee amendment to section sixty (60) by striking from line three (3) thereof the words "their charges and".

Amendment rejected.

On motion of Doolittle of Delaware the committee amendment to section sixty (60) was adopted.

On motion of Doolittle of Delaware the committee amendment to section twenty-seven (27), filed on January 18th, was adopted.

Mr. Doolittle moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Letts	Rhinehart
Anderson of Webster	Gallagher	Lichty	Robson
Blake	Garber of Adair	Lieberknecht	Rust
Blume	Garber of Floyd	Long	Sampson
Bradley	Gesman	Lovrien	Saunders
Brady	Gilbert	Mathews	Schirmer
Brittain	Gilbertson	Matthiesen	Scott of Appanoose
Buffington	Gilmore	Miller	Slemmons
Carter	Graham	Moen	Smith of Chickasaw
Children	Grimwood	Napier	Smith of Lucas
Clark	Hansen	Natvig	Stock
Colbert	Hattendorf	Noble	Stookesberry
Cole	Hauge	O'Donnell	Storey
Criswell	Healy	Oliver	Strippel
Dewar	Held	Ontjes	Ulstad
Donhowe	Hempel	Orr	Vincent
Dooley	Henderson	Parsons	Wamstad
Doolittle	Himebauch	Patterson	Weber
Dotts	Hollis	Peterson	Wilson
Edge	Huff	Powers	Wolfe
Edson	Johnson	Ramsey	Mr. Speaker—92
Elliott	King	Rankin	
Fackler	Knutson	Rassler	
	Leonard	Rewoldt	

The nays were:

Schulte Venard—2

Absent or not voting:

Berry	Harrison	Potts	Williams
Diltz	Lake	Quirk	Yenter—14
Frahm	McClune	Rumley	
Gibson	Olson	Scott of Fremont	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

**MR. SPEAKER:** Your committee on enrolled bills respectfully reports that it has, on this twenty-fifth day of January, 1924, sent to the Governor for his approval:

House Files Nos. 28, 234, 268.

*C. F. Letts, Chairman.*

Report 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. 108, a bill for an act relating to education.

Also, that the Senate has amended and concurred in the House amendment to the Senate amendment to House File No. 10, a bill for an act relating to the attorney general.

*L. W. Ainsworth, Secretary.*

#### SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE NO. 10

Amend the House amendment to the Senate amendment to House File No. 10 as follows:

Insert after the parenthesis in line 3 of section 7 the following: "or so much thereof as may be necessary".

#### SPECIAL ORDERS MADE

On request of Knutson of Cerro Gordo, unanimous consent having been obtained, Calendar No. 3, substitute for House File No. 54, was made a special order for Wednesday, January 30th, at 10:30 a. m.

On request of Moen of Lyon, unanimous consent having been

obtained, Calendar No. 5, House File No. 71, was made a special order for Thursday, January 31st, at 10:00 a. m.

#### CONSIDERATION OF BILLS

House File No. 46, a bill for an act to amend, revise, and codify sections eight hundred seventy-three (873) to eight hundred eighty (880), inclusive; of the compiled code of Iowa, and section eight hundred eighty-one (881) of the supplement to said code, relating to the bureau of labor and the labor commissioner, his deputies and inspectors, their duties and jurisdiction, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of O'Donnell of Dubuque the amendments proposed by the committee, found in the Journal of January 23d, were adopted.

Rankin of Lee offered the following amendment and moved its adoption:

Amend section three (3), subsection four (4), of House File No. 46 by striking from lines thirty-four (34) and thirty-five (35) of the printed bill the following: "the restrictions, if any, which are put upon apprentices when indentured."

Amendment adopted.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend section ten (10) of House File No. 46 by striking out the word "shall" in line four (4) thereof and inserting in lieu thereof the word "may".

Amendment adopted.

Mr. O'Donnell moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Buffington	Donhowe	Gallagher
Anderson of	Carter	Dooley	Garber of Adair
Webster	Children	Doolittle	Garber of Floyd
Blake	Clark	Dotts	Gesman
Blume	Colbert	Edge	Gibson
Bradley	Cole	Fackler	Gilbertson
Brady	Criswell	Forsling	Gilmore
Brittain	Dewar	Frahm	Graham

Grimwood	Lichty	Patterson	Smith of
Hansen	Lieberknecht	Peterson	Chickasaw
Hattendorf	Long	Powers	Smith of Lucas
Healy	Lovrien	Rankin	Stock
Held	Mathews	Rassler	Stookesberry
Hempel	Matthiesen	Rhinehart	Storey
Henderson	Miller	Robson	Strippel
Himebauch	Moen	Rust	Ulstad
Hollis	Napier	Sampson	Venard
Huff	Natvig	Saunders	Vincent
Johnson	Noble	Schirmer	Wamstad
King	O'Donnell	Schulte	Weber
Knutson	Oliver	Scott of	Wilson
Leonard	Ontjes	Appanoose	Wolfe
Letts	Parsons	Slemmons	Mr. Speaker—89

The nays were, none.

Absent or not voting:

Berry	Harrison	Orr	Rumley
Diltz	Hauge	Potts	Scott of Fremont
Edson	Lake	Quirk	Williams
Elliott	McClune	Ramsey	Yenter—19
Gilbert	Olson	Rewoldt	

So the bill having received a constitutional majority was declared to have passed the House 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. 176, a bill for an act to amend, revise, and codify the law relating to municipal corporations—condemnation.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 158, a bill for an act to amend, revise, and codify the law relating to the general powers of municipal corporations.

Also, that the Senate has adopted the report of the conference committee and concurred in the proposals made therein, on Senate File No. 273, a bill for an act relating to the release of common law or statutory liens on personal property.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 176

Amend by striking out the word "sewers" with the comma (,) following, between the words "for" and "sewer" in line 15, section 1.

Amend section two (2) by striking out lines 5, 6, and 7, and substituting in lieu thereof the following: "including a suitable roadway thereto by the

most reasonable route, for the purpose of obtaining gravel, stone, or other suitable material with which to improve the streets and alleys of said city or town."

Amend by striking from section four (4) all that part following the word "town" in line 5. Also by striking the comma (,) appearing after the word "town" in said line and inserting a period (.) in lieu thereof.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 158

Amend the title by inserting in the first line after the word "sections" the words and figures "three thousand five hundred seventy-four (3574)".

Amend section 3 by striking from line one the words and figures "thirty thousand (30,000)" and substitute therefor the words and figures "fifteen thousand (15,000)".

Amend section 4 by striking from line two the word "management" and substitute the word "operation"; by striking from line seven the word "the" and substitute the word "their"; by striking the words "of any city" and inserting in line 8 between the words "be" and "without" the word "issued".

Amend section 7 by inserting in line two before the word "fortune" the words "swimming pools, and"; by striking from line 4 the word "saloons" in both caption and text and substituting the word "halls"; by substituting a comma (,) for the period (.) at the end of line 6 and adding the words "and near beer or soft drink saloons".

Amend section 9 by striking from line one the words "by ordinance"; and by striking from line three the words "which may be".

Amend section 10, line 3, by adding to the word "material" the letter "s".

Amend section 22 by striking from line two the word "and" and substituting the word "or".

Amend section 23 by inserting in line one after the word "published" the words "in pamphlet form or" and by striking the remainder of the section after the period in line four.

Amend section 26 by striking therefrom the first line and the first word of the second line and inserting in lieu thereof the following:

"The auditor of state shall prepare said reports for publication in a separate volume. Said report shall show".

Also amend section 26 by striking out the last three lines except the word "municipalities".

Amend by inserting after section 28 the following:

"That section three thousand five hundred seventy-four (3574) of the compiled code of Iowa is amended, revised and codified to read as follows:

"Section 29. Municipal corporations shall have power to make and publish, from time to time, ordinances, not inconsistent with the laws of the state, for carrying into effect or discharging the powers and duties conferred by this title, and such as shall seem necessary and proper to provide for the safety, preserve the health, promote the prosperity, improve the morals, order, comfort and convenience of such corporations and the in-

habitants thereof, and to enforce obedience to such ordinances by fine not exceeding one hundred dollars (\$100.00), or by imprisonment not exceeding thirty days.

Amend section 28, line one, by striking the words and figures "twenty-two (22) to twenty-six (26)" and substituting therefor the words and figures "twenty-one (21) to twenty-five (25)".

#### REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 273

MR. SPEAKER: Your conference committee to whom was referred Senate File No. 273, a bill relating to the release of liens, beg leave to report they have had the same under consideration and recommend that the differences between the Senate and the House be settled upon the following basis:

1. That the House shall recede from the amendment adopted by it, leaving the provision as it is in the said bill and confirming the present law.

R. P. SCOTT  
 BEN C. ABBEN, JR.  
 A. J. SHINN  
 CLYDE H. DOOLITTLE  
 JNO. M. RANKIN  
 FRED REWOLDT, JR.  
 C. G. OLIVER

#### AMENDMENTS FILED

Criswell of Boone filed the following amendments to House File No. 68:

Amend House File No. 68 by striking from section fifty-two (52) all after the period (.) in line three (3).

Also amend by striking out all of section fifty-three (53).

Knutson of Cerro Gordo filed the following amendments to the committee substitute for House File No. 54:

Amend Substitute for House File No. 54 as follows:

In section 13, line 16, insert the word "this" before the word "section" and strike out the figures "1117" and letters "C.C."

In section 19 place a period (.) after the word "lawful" in line 9. Strike out the words "and such" in line 9 following the word "lawful" and in lieu thereof insert "A".

In section 35 strike out lines 5 and 6, and renumber the remaining subsections of that section.

In section 38 strike out the figures "1924" in line 5, and insert the figures "1923".

In section 75 place a period (.) after the word "state" in line 5 and strike out all the remainder of the section.

The lines above stricken out are a repetition of section 43 of the bill.

Children of Pottawattamie filed the following amendment to House File No. 91:

Amend House File No. 91, section six (6), by adding after the word "annually" in line one (1) thereof the following words: "for the biennium ending June thirtieth, nineteen hundred twenty-five (1925)".

Children of Pottawattamie filed the following amendments to Senate File No. 151:

Amend Senate File No. 151, section ten (10), by adding thereto the following sentence: "If at any time a new township has been created in a year in which no general election is held, the board shall call a special election for the election of the township officers of the new township, who shall continue in office until their successors are elected and qualified."

Amend section sixteen (16) line three (3) by adding after the comma (.) following the word "viewers" the words "the local board of health.". Amend, also, by striking the word "and" as it appears between the words "viewers" and "shall" in same line.

Amend further by adding after the word "equalization" in line four (4) the following words: "and shall have charge of all cemeteries within the limit of their townships dedicated to public use, when the same are not controlled by other trustees or incorporated body".

Slemmons of Buchanan filed the following amendment to the committee amendment to the House resolution by Moen:

Amend the committee amendment to the House Resolution by Moen by adding to the end thereof the following: "Provided, however, that no such bill shall be called up until the second day after such agreement shall have been printed in the Journal.

Anderson of Webster moved that the House adjourn until 3:30 p. m. today.

Children of Pottawattamie moved to amend the motion by changing the time from 3:30 p. m. today to 9:00 a. m. Saturday.

Amendment adopted.

Motion, as amended, prevailed and the House stood adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 26, 1924.

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

Prayer was offered by the Rev. A. W. Armstrong, Des Moines conference historian, Perry, Iowa.

Journal of January 25th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Doolittle of Delaware until Wednesday, on request of Hauge of Polk; Mathews of Des Moines until Tuesday, on request of Rassler of Pocahontas; Lovrien of Humboldt for the day, on request of Rankin of Lee; Saunders of Palo Alto for the day, on request of Rankin of Lee; Graham of Wapello for the day, on request of Rassler of Pocahontas; Himebauch of Emmet for the day, on request of Stookesberry of Davis; Edson of Buena Vista for the day, on request of Dotts of Wayne; Williams of Montgomery for the day, on request of Children of Pottawattamie; Held of Plymouth for the day, on request of Lieberknecht of Louisa; Garber of Adair for the day, on request of Vincent of Guthrie; Hollis of Black Hawk for the day, on request of Ramsey of Butler; Knutson of Cerro Gordo for the day, on request of Ramsey of Butler; Aiken of Ida for the day, on request of Huff of Cass; Gesman of Marion for the day, on request of Slemmons of Buchanan; Lichty of Black Hawk for the day, on request of Johnson of Dickinson; Clark of Linn for the day, on request of Wolfe of Linn.

## PETITIONS

Rewoldt of Bremer presented petitions from members of the Lutheran Trinity church, Bremer, and residents of Bremer county, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Ontjes of Grundy presented a petition from citizens of Reinbeck, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 273  
CONSIDERED

The report of the conference committee on Senate File No. 273, found in the Journal of January 25th, was taken up for consideration.

Rankin of Lee moved that the report of the conference committee be adopted and that the House recede from its amendment.

On the question "Shall the report of the conference committee be adopted and the House recede from its amendment to Senate File No. 273?"

The ayes were:

Anderson of	Elliott	Moen	Schulte
Webster	Fackler	Napier	Scott of
Berry	Frahm	Natvig	Appanoose
Blake	Gallagher	O'Donnell	Smith of
Blume	Gibson	Oliver	Chickasaw
Bradley	Gilbert	Olson	Smith of Lucas
Brady	Grimwood	Ontjes	Stookesberry
Buffington	Hattendorf	Orr	Storey
Carter	Hauge	Parsons	Strippel
Children	Healy	Patterson	Ulstad
Colbert	Henderson	Peterson	Venard
Cole	Huff	Powers	Vincent
Criswell	Johnson	Rankin	Wamstad
Dewar	King	Rassler	Weber
Donhowe	Leonard	Robson	Wilson
Dooley	Letts	Rust	Wolfe
Dotts	Miller	Schirmer	Mr. Speaker—65

The nays were, none.

Absent or not voting:

Aiken	Gilbertson	Lichty	Rewoldt
Brittain	Gilmore	Lieberknecht	Rhinehart
Clark	Graham	Long	Rumley
Diltz	Hansen	Lovrien	Sampson
Doolittle	Harrison	McClune	Saunders
Edge	Held	Mathews	Scott of Fremont
Edson	Hempel	Matthiesen	Slemmons
Forsling	Himebauch	Noble	Stock
Garber of Adair	Holls	Potts	Williams
Garber of Floyd	Knutson	Quirk	Yenter—43
Gesman	Lake	Ramsey	

The report of the conference committee was adopted and the House receded from its amendment to Senate File No. 273.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 129 and 135.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### REPORTS OF COMMITTEES

Carter of Hardin, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred Senate File No. 99, a bill for an act to amend, revise, and codify sections two thousand four hundred seventy-eight (2478) to two thousand four hundred eighty (2480), inclusive, two thousand four hundred eighty-four (2484), two thousand four hundred eighty-nine (2489), two thousand four hundred ninety (2490), and two thousand five hundred (2500) to two thousand five hundred five (2505), inclusive, of the compiled code of Iowa, and section three thousand two hundred thirty-one-a thirteen (3231-a13) of the supplement to said code, 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 as follows, and when so amended the bill do pass:

Amend by striking out of section 13, line 2, the following: "as directed by the superintendent of public instruction,".

Amend by striking out all of section twenty-nine (29) and substituting in lieu thereof the following:

"Sec. 29. Expenses of the county superintendent.

The county superintendent shall, on the first Monday of each month, file with the county auditor an itemized and verified statement of his actual and necessary expenses incurred during the previous month in the performance of his official duties within his county, and such expenses shall be allowed by the county board of supervisors and paid out of the county fund, as other expenses of the county, but the total amount so paid, exclusive of office stationery and postage, for any one year of the superintendent's term shall not exceed the sum of four hundred dollars (\$400.00)."

L. V. CARTER, *Chairman.*

Report adopted.

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 289, a bill for an act to legalize the levy and collection by the board of supervisors and treasurer of Monroe county, Iowa, of a cemetery tax of five-tenth (.5) of one mill (.001) on the dollar, of the taxable property of Monroe county, Iowa, for the year 1922, beg leave to report they

have had 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. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 187, a bill for an act to amend, revise, and codify sections forty-nine hundred fifty-nine (4959) to forty-nine hundred sixty-one (4961), inclusive, forty-nine hundred sixty-three (4963) to forty-nine hundred sixty-five (4965), inclusive, forty-nine hundred sixty-seven (4967), forty-nine hundred sixty-eight (4968), forty-nine hundred seventy-one (4971) to forty-nine hundred seventy-five (4975), inclusive, forty-nine hundred seventy-seven (4977) to forty-nine hundred eighty-one (4981), inclusive, forty-nine hundred eighty-three (4983) to fifty hundred one (5001), inclusive, fifty hundred eight (5008), and fifty hundred eleven (5011) of the compiled code of Iowa and sections forty-nine hundred fifty-nine-a one (4959-a1), forty-nine hundred sixty-eight-a one (4968-a1), and forty-nine hundred seventy-a one (4970-a1) of the supplement to said code, relating to the condemnation of private property for works of internal improvement and for other public uses and 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 amended as follows, and when so amended the bill do pass:

Amend section 6 by inserting after line 6 thereof the words "or from".

Amend section 19 by striking out the same and inserting in lieu thereof the following:

"Sec. 19. Procedure provided.

The procedure for the condemnation of private property for works of internal improvement, and for other public uses and purposes, unless and except as otherwise provided by law, shall be in accordance with the provisions of this chapter."

Amend by inserting after section 41 as renumbered by the Senate (after section 45 of the bill as printed), the following:

"Sec. 41-a1. Tender by public authorities.

After the report of the commission is filed with the sheriff, the public officer, board or commission, having authority to allow claims for the purchase price of the land, may cause to be allowed and issued a warrant in favor of the claimant for the amount of the damages as returned by the commissioners. The warrant drawing officer shall, in writing, notify the claimant, his agent or attorney that said warrant will, on demand, be delivered to such claimant or to any person authorized by the payee in writing to receive it, and thereafter, so long as funds are available for the immediate payment of said warrant, the same shall have the same force and effect and create the same rights as a deposit of money with the sheriff."

C. F. CLARK, *Chairman.*

Report adopted.

Blake of Fayette, from the committee on public utilities, submitted the following report:

MR. SPEAKER: Your committee on public utilities to whom was referred Senate File No. 175, a bill for an act to amend, revise, and codify sections four thousand twelve (4012) to four thousand twenty-two (4022), inclusive, of the compiled code of Iowa, relating to municipal 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 do pass.

W. R. BLAKE, *Chairman.*

Report adopted.

Doolittle of Delaware, from the committee on private corporations, submitted the following report:

MR. SPEAKER: Your committee on private corporations to whom was referred House File No. 202, a bill for an act to amend, revise, and codify sections fifty-three hundred seventy-seven (5377) and fifty-three hundred seventy-eight (5378) of the compiled code of Iowa, relating to corporate shares of stock, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

CLYDE H. DOOLITTLE, *Chairman.*

Report adopted.

Parsons of Calhoun, from the committee on drainage, submitted the following report:

MR. SPEAKER: Your committee on drainage to whom was referred House File No. 287, a bill for an act to appropriate sufficient funds to pay the drainage assessments and accrued interest against the state in connection with the drainage of Tow Head Lake in Calhoun county, and to make the amount of such assessments and interest a lien against said lands in case the state is found not to be the 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, and that the bill be referred to the committee on appropriations.

THOMAS PARSONS, *Chairman.*

Report adopted and House File No. 287 was referred to the committee on appropriations.

#### CONSIDERATION OF BILLS

House File No. 94, a bill for an act to amend, revise, and codify sections two thousand four hundred thirty-one (2431), two thousand four hundred thirty-three (2433), two thousand four hundred thirty-four (2434) and two thousand four hundred thirty-

five (2435) of the compiled code of Iowa, relating to the Iowa state teachers college, with report of committee recommending passage, was taken up for consideration.

Healy of Hancock moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson	Forsling	McClune	Sampson
of Webster	Frahm	Matthiesen	Schirmer
Blake	Gallagher	Moen	Schulte
Blume	Gibson	Napier	Scott
Bradley	Gilbert	Natvig	of Appanoose
Brady	Gilbertson	O'Donnell	Slemmons
Brittain	Gilmore	Oliver	Smith
Buffington	Grimwood	Olson	of Chickasaw
Carter	Hattendorf	Ontjes	Stock
Children	Hauge	Orr	Stokesberry
Colbert	Healy	Parsons	Storey
Cole	Hempel	Patterson	Strippel
Criswell	Henderson	Peterson	Ulstad
Dewar	Huff	Powers	Venard
Donhowe	Johnson	Ramsey	Vincent
Dooley	King	Rankin	Wamstad
Dotts	Leonard	Rassler	Weber
Edge	Letts	Rhinehart	Wilson
Elliott	Lieberknecht	Robson	Wolfe
Fackler	Long	Rust	Mr. Speaker—77.

The nays were, none.

Absent or not voting:

Aiken	Gesman	Lake	Rewoldt
Berry	Graham	Lichty	Rumley
Clark	Hansen	Lovrien	Saunders
Diltz	Harrison	Mathews	Scott of Fremont
Doolittle	Held	Miller	Smith of Lucas
Edson	Himebauch	Noble	Williams
Garber of Adair	Hollis	Potts	Yenter—31.
Garber of Floyd	Knutson	Quirk	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 47, a bill for an act to amend, revise, and codify sections eight hundred ninety-two (892) to eight hundred ninety-eight (898), inclusive, of the compiled code of Iowa, and section eight hundred ninety-one (891) of the supplement to said code, relating to the state free employment bureau, free employment service, and employment agencies, with report of

committee recommending passage, was taken up for consideration.

O'Donnell of Dubuque moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gilbert	Natvig	Slemmons
Webster	Gilbertson	Noble	Scott of
Berry	Gilmore	O'Donnell	Appanoose
Blake	Grimwood	Oliver	Smith of
Blume	Hattendorf	Olson	Chickasaw
Brady	Hempel	Ontjes	Smith of Lucas
Brittain	Henderson	Orr	Stock
Buffington	Huff	Parsons	Stookesberry
Colbert	Johnson	Patterson	Storey
Criswell	King	Peterson	Strippel
Dewar	Lake	Powers	Ustad
Donhowe	Leonard	Ramsey	Venard
Dooley	Letts	Rankin	Vincent
Dotts	Lieberknecht	Rassler	Wamstad
Edge	Long	Rhinehart	Weber
Fackler	McClune	Robson	Willson
Forsling	Matthiesen	Rust	Wolfe
Frahm	Miller	Sampson	Mr. Speaker—75
Gallagher	Moen	Schirmer	
Garber of Floyd	Napler	Schulte	

The nays were, none.

Absent or not voting:

Aiken	Elliott	Held	Rewoldt
Bradley	Garber of Adair	Himebauch	Rumley
Carter	Gesman	Hollis	Saunders
Children	Gibson	Knutson	Scott of Fremont
Clark	Graham	Lichty	Williams
Cole	Hansen	Lovrien	Yenter—33
Diltz	Harrison	Mathews	
Doolittle	Hauge	Potts	
Edson	Healy	Quirk	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 105, a bill for an act to amend, revise, and codify sections two thousand six hundred six (2606) to two thousand six hundred eight (2608), inclusive, of the compiled code of Iowa, relating to education, with report of committee recommending passage, was taken up for consideration.

Johnson of Dickinson moved that the bill be read a third time

now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Forsling Frahm	Moen Napier	Schulte Scott of Appanoose
Berry	Gallagher	Natvig	Slemmons
Blake	Garber of Floyd	Noble	Smith of Chickasaw
Blume	Gilbert	O'Donnell	Smith of Lucas
Bradley	Gilbertson	Oliver	Stock
Brady	Gilmore	Olson	Stookesberry
Brittain	Hattendorf	Ontjes	Storey
Buffington	Hauge	Orr	Strippel
Carter	Healy	Parsons	Ulstad
Children	Hempel	Patterson	Venard
Colbert	Henderson	Peterson	Vincent
Cole	Huff	Powers	Wamstad
Criswell	Johnson	Ramsey	Weber
Dewar	King	Rankin	Wilson
Donhowe	Lake	Rassler	Wolfe
Dooley	Leonard	Rhinehart	Mr. Speaker—79.
Dotts	Letts	Robson	
Edge	Lieberknecht	Rust	
Elliott	McClune	Sampson	
Fackler	Miller	Schirmer	

The nays were, none.

Absent or not voting:

Aiken	Graham	Lichty	Rumley
Clark	Grimwood	Long	Saunders
Diltz	Hansen	Lovrien	Scott of Fremont
Doolittle	Harrison	Mathews	Williams
Edson	Held	Matthiesen	Yenter—29.
Garber of Adair	Himebauch	Potts	
Gesman	Hollis	Quirk	
Gibson	Knutson	Rewoldt	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 109, a bill for an act to amend, revise, and codify sections two thousand six hundred forty-one (2641), two thousand six hundred forty-three (2643), and two thousand six hundred forty-six (2646) to two thousand six hundred forty-eight (2648), inclusive, of the compiled code of Iowa, and sections two thousand six hundred thirty-nine (2639), two thousand six hundred forty (2640), and two thousand six hundred forty-two (2642) of the supplement to said code, relating to education, with report of committee recommending passage, was taken up for consideration.

Schirmer of Jackson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Frahm	Miller	Sampson
Blake	Gallagher	Moen	Schirmer
Blume	Garber of Floyd	Napier	Schulte
Bradley	Gilbert	Natvig	Scott of Appanoose
Brady	Gilbertson	Noble	Slemmons
Brittain	Gilmore	O'Donnell	Smith of Chickasaw
Buffington	Grimwood	Oliver	Smith of Lucas
Carter	Hattendorf	Olson	Stock
Children	Hauge	Ontjes	Stookesberry
Colbert	Healy	Orr	Storey
Cole	Hempel	Parsons	Strippel
Criswell	Henderson	Patterson	Ulstad
Dewar	Huff	Peterson	Venard
Donhowe	Johnson	Powers	Vincent
Dooley	King	Ramsey	Wamstad
Dotts	Lake	Rankin	Weber
Edge	Leonard	Rassler	Wilson
Elliott	Letts	Rewoldt	Wolfe
Fackler	Lieberknecht	Rhinehart	Mr. Speaker—81
Forsling	Long	Robson	
	McClune	Rust	

The nays were, none.

Absent or not voting:

Aiken	Gesman	Hollis	Quirk
Berry	Gibson	Knutson	Rumley
Clark	Graham	Lichty	Saunders
Diltz	Hansen	Lovrien	Scott of Fremont
Doolittle	Harrison	Mathews	Williams
Edson	Held	Matthiesen	Yenter—27
Garber of Adair	Himebauch	Potts	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 151, a bill for an act to amend, revise, and codify sections thirty-four hundred twenty-four (3424) to thirty-four hundred thirty-five (3435), inclusive, thirty-four hundred forty (3440), thirty-four hundred forty-one (3441), thirty-four hundred forty-five (3445), thirty-four hundred forty-six (3446), thirty-four hundred forty-nine (3449), thirty-four hundred fifty (3450), thirty-four hundred fifty-three (3453), thirty-four hundred fifty-four (3454), thirty-four hundred fifty-eight (3458) and thirty-four hundred fifty-nine (3459) of the compiled code of Iowa, and sections thirty-four hundred forty-five-a one (3445-a1)

and thirty-four hundred forty-five-a two (3445-a2) of the supplement to said code, relating to townships and township officers, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Gibson of Clarke the amendment proposed by the committee to section twenty (20), found in the Journal of January 23d, was adopted.

Mr. Gibson moved the adoption of the amendment proposed by the committee to section thirty-one (31).

Amendment rejected.

The following amendment filed by Venard of Sioux was taken up and considered:

Amend Senate File No. 151 by adding immediately after section 29 the following:

"Sec. 29-a1. Bond.

Before such deposit is made, such bank shall file with the clerk a bond with sureties to be approved by the clerk and the township trustees in double the amount which will probably be deposited, conditioned to hold the township harmless from all loss by reason of such deposit or deposits. The clerk or his successor in office shall have a right to bring action on said bond in case of a breach thereof."

Venard of Sioux offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking out of lines three (3) and four (4) of section 29-a1 the words "hold the township harmless from all" and inserting in lieu thereof the words "indemnify the township against".

Amendment to the amendment adopted.

On motion of Mr. Venard the amendment, as amended, was adopted.

The following amendment to section ten (10), filed by Children of Pottawattamie on January 25th, was taken up for consideration:

Amend Senate File No. 151, section ten (10), by adding thereto the following sentence: "If at any time a new township has been created in a year in which no general election is held, the board shall call a special election for the election of the township officers of the new township, who shall continue in office until their successors are elected and qualified."

On motion of Mr. Children the amendment to section ten (10) was adopted.

On motion of Children of Pottawattamie the following amendment to section sixteen (16) was adopted:

Amend section sixteen (16), line three (3), by adding after the comma (,) following the word "viewers" the words "the local board of health."

On request of Children of Pottawattamie, unanimous consent having been obtained, the remaining amendments to section sixteen (16), filed by him on January 25th, were withdrawn.

Ontjes of Grundy moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Frahm	Matthiesen	Schirmer
Webster	Gallagher	Miller	Schulte
Berry	Garber of Floyd	Moen	Scott of
Blake	Gibson	Napier	Appanoose
Blume	Gilbert	Natvig	Slemmons
Bradley	Gilbertson	Noble	Smith of
Brady	Gilmore	O'Donnell	Chickasaw
Brittain	Grimwood	Oliver	Smith of Lucas
Buffington	Hansen	Olson	Stock
Carter	Hattendorf	Ontjes	Stokesberry
Children	Hauge	Orr	Storey
Colbert	Healy	Parsons	Strippel
Cole	Hempel	Patterson	Ulstad
Criswell	Henderson	Peterson	Venard
Dewar	Huff	Powers	Vincent
Diltz	Johnson	Ramsey	Wamstad
Donhowe	King	Rankin	Weber
Dooley	Lake	Rassler	Wilson
Dotts	Leonard	Rewoldt	Wolfe
Edge	Letts	Rhinehart	Mr. Speaker—86.
Elliott	Lieberknecht	Robson	
Fackler	Long	Rust	
Forsling	McClune	Sampson	

The nays were, none.

Absent or not voting:

Aiken	Graham	Lichty	Saunders
Clark	Harrison	Lovrien	Scott of Fremont
Doolittle	Held	Mathews	Williams
Edson	Himebauch	Potts	Yenter—22.
Garber of Adair	Hollis	Quirk	
Gesman	Knutson	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 250, a bill for an act to amend, revise, and codify chapter one (1) of title thirty-four (34) of the compiled

code of Iowa, relating to magistrates and peace officers, with report of committee recommending amendment and passage, was taken up for consideration.

On request of O'Donnell of Dubuque, unanimous consent having been obtained, the amendment filed by him on January 14th was withdrawn.

On request of Fackler of Adams, unanimous consent having been obtained, the amendments filed by him on January 14th and January 15th, were withdrawn.

On request of Rewoldt of Bremer, unanimous consent having been obtained, the amendment filed by him on January 15th was withdrawn.

The amendments proposed by the committee, found in the Journal of January 12th, were taken up and considered.

Rewoldt of Bremer offered the following amendment to the committee amendment to section six (6) and moved its adoption:

Amend the committee amendment to section six (6) by striking out the word "and" and preceding the word "necessary".

Amendment rejected.

On motion of Storey of Warren the committee amendments were adopted.

The following amendment filed by Storey of Warren was taken up and considered:

Amend section ten (10) of House File No. 250 by inserting after the word "annually" in the first line thereof, the words and figures: "until July first, nineteen hundred twenty-five (1925)".

On motion of Mr. Storey the amendment was adopted.

Mr. Storey moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Brittain	Cole	Dooley
Webster	Buffington	Criswell	Dotts
Blume	Carter	Dewar	Elliott
Bradley	Children	Diltz	Fackler
Brady	Colbert	Donhowe	Frahm

Gallagher	Lake	Parsons	Slemmons
Garber of Floyd	Leonard	Patterson	Smith
Gibson	Letts	Peterson	Chickasaw
Gilbert	Lieberknecht	Powers	Smith of Lucas
Gilbertson	Long	Ramsey	Stock
Gilmore	McClune	Rankin	Stookesberry
Grimwood	Miller	Rassler	Storey
Hansen	Moen	Rewoldt	Strippel
Hattendorf	Napier	Rhinehart	Ulstad
Hauge	Natvig	Robson	Venard
Healy	Noble	Rust	Vincent
Hempel	O'Donnell	Sampson	Wamstad
Henderson	Oliver	Schirmer	Weber
Huff	Olson	Schulte	Wilson
Johnson	Ontjes	Scott of	Mr. Speaker—89
King	Orr	Appanoose	

The nays were, none.

Absent or not voting:

Aiken	Forsling	Hollis	Quirk
Berry	Garber of Adair	Knutson	Rumley
Blake	Gesman	Lichty	Saunders
Clark	Graham	Lovrien	Scott of Fremont
Doolittle	Harrison	Mathews	Williams
Edge	Held	Mathiesen	Wolfe
Edson	Himebauch	Potts	Yenter—28

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House he had signed in the presence of the House, the following bills:

Senate Files Nos. 129 and 135.

#### AMENDMENTS FILED

Oliver of Monona filed the following amendments to House File No. 117:

Amend section nine (9) of House File No. 117 by striking out all of lines one (1) to four (4) of said section and inserting in lieu thereof the following:

"The county auditor shall cause notice to be served on the individual owner of each tract or parcel of land to be taken for such right of way, as shown by the transfer books in the office of such county auditor, and upon each person owning or holding a lien, mortgage, encumbrance or lease upon such land as shown by the county records and upon the actual occupant of such land if other than the owner thereof."

Also amend section ten (10) of said bill by inserting after the word "owners" in line one (1) of said section the following ", mortgagees and other lien holders of record".

Also amend by inserting after the word "owners" as it first appears in line three (3) of said section the following: ", mortgagees and lien holders of record".

Also amend by inserting after the word "owners" as it appears the second time in line three (3) of said section the following ", mortgagees and other lien holders of record".

Also amend said section by striking out the period after the word "land" in line seven (7) thereof and inserting a comma in lieu of said period and adding the following: "and also by mailing to such owner, mortgagee or other lien holder of record, by registered mail, addressed to his last known address with a copy of such notice."

Also amend section twelve (12) of said bill by inserting after the word "owner" in line two (2) of said section the following: ", mortgagee, lien holder of record, and the actual occupant of such land if any".

Also amend said section twelve (12) by inserting after the word "owners" in line three (3) thereof the following: ", mortgagee, lien holder of record, and the actual occupant of such land if any".

McClune of Mahaska filed the following amendments to the committee amendments to House File No. 68:

Amend the committee amendments to House File No. 68 as follows:

1. Amend section twenty-seven-a one (27-a1) by substituting for the word "act" in line two (2) the word "chapter".

2. Amend section seventy-three (73) by striking out of lines five (5), six (6) and seven (7) the words ", at its next regular meeting, shall declare by resolution that such county has been enrolled as an accredited area" and substituting therefor the following: "shall cause to be published a notice of such enrollment once in two official newspapers of the county".

3. Amend section seventy-three-a two (73-a2) by adding thereto the following: "When the county is so enrolled the board of supervisors shall cause a notice of such enrollment to be published once in two official newspapers of the county and thereafter every owner of breeding cattle within the county shall cause his cattle to be tested for tuberculosis as provided in this chapter and shall comply with all the requirements for the establishment and maintenance of the tuberculosis-free accredited herd."

4. Amend section seventy-four (74) by striking out of lines five (5) and six (6) the words "resolution by the board of supervisors" and substituting therefor the words "notice of enrollment".

5. Further amend House File No. 68 by striking out of line three (3) in section seventy-five (75) the words "the two preceding sections" and substituting therefor "sections seventy-three (73) and seventy-three-a one (73-a1)".

Brittain of Madison filed the following amendments to the committee amendments to House File No. 71:

Amend the committee amendments to House File No. 71, found on page 449 of the journal of January 23d, as follows:

Amend the committee amendment to section one (1) by striking out the comma (,) after the word "mules" and inserting in lieu thereof the word "and"; and by adding a period (.) after the word "asses" and striking the words "or other domestic animals".

On motion of Fackler of Adams the House adjourned until 10:00 a. m. Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 28, 1924.

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

Prayer was offered by the Rev. Melvin Vernon Higbee, pastor of the First Presbyterian church, Boone, Iowa.

Journal of January 26th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Himebauch of Emmet indefinitely, on request of Stookesberry of Davis; Held of Plymouth for the day, on request of Lieberknecht of Louisa; Edson of Buena Vista for the day, on request of Dotts of Wayne; Bradley of Poweshiek for the day, on request of Long of Jefferson; Gesman of Marion for the forenoon, on request of Slemmons of Buchanan; Hauge of Polk for the forenoon, on request of Rust of Franklin; Schulte of Worth for the day, on request of Hattendorf of Osceola; Natvig of Howard until Wednesday, on request of Hattendorf of Osceola; Williams of Montgomery for the day, on request of Children of Pottawattamie; Ramsey of Butler until Wednesday, on request of Vincent of Guthrie.

## PETITIONS

Healy of Hancock presented a resolution from St. John's Lutheran church, Hancock county, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Carter of Hardin presented a petition from citizens of Buckeye, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Noble of Muscatine presented a petition from the Muscatine county medical society, urging the passage of House File No. 262, also House File No. 260 with amendment. Referred to committee on public health.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor that he had approved the following bills: House Files Nos. 194 and 24 on January 25th; House Files Nos. 28, 234 and 268 on January 26th.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Clark of Linn, House File No. 10, a bill for an act to amend, revise, and codify chapter six (6) of title two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general, with Senate amendments, was taken up and the amendments read and considered.

## SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT

Amend the House amendment to the Senate amendment to House File No. 10 as follows:

Insert after the parenthesis in line 3 of section 7 the following: "or so much thereof as may be necessary".

Mr. Clark moved that the House concur in the Senate amendments to the House amendment to the Senate amendment.

On the question "Shall the House concur?"

The ayes were:

Anderson of Webster	Gallagher	Lieberknecht	Rust
Blake	Garber of Adair	Long	Sampson
Brady	Garber of Floyd	Matthiesen	Saunders
Brittain	Gibson	Miller	Schirmer
Buffington	Gilbert	Moen	Scott of
Children	Gilbertson	Napier	Appanoose
Clark	Gilmore	Noble	Scott of Fremont
Colbert	Graham	O'Donnell	Slemmons
Cole	Grimwood	Oliver	Smith of
Criswell	Harrison	Ontjes	Chickasaw
Dewar	Hattendorf	Orr	Stock
Diltz	Healy	Parsons	Storey
Donhowe	Hempel	Patterson	Strippel
Dooley	Henderson	Peterson	Ulstad
Dotts	Hollis	Powers	Venard
Edge	King	Quirk	Vincent
Elliott	Knutson	Rankin	Wamstad
Fackler	Lake	Rassler	Weber
Forsling	Leonard	Rewoldt	Wilson
Frahm	Letts	Rhinehart	Yenter
	Lichty	Robson	Mr. Speaker—81

The nays were:

Blume	Johnson	Stookesberry—3
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## Absent or not voting:

Alken	Gesman	Lovrien	Ramsey
Berry	Hansen	McClune	Rumley
Bradley	Hauge	Mathews	Schulte
Carter	Held	Natvig	Smith of Lucas
Doolittle	Himebauch	Olson	Williams
Edson	Huff	Potts	Wolfe—24

So the House concurred in the Senate amendment to the House amendment to the Senate amendment to House File No. 10.

## REPORTS OF COMMITTEES

Rankin of Lee, from the committee on railroads, submitted the following report:

MR. SPEAKER: Your committee on railroads to whom was referred House File No. 188, a bill for an act to amend, revise and codify sections fifty-hundred fourteen (5014) to fifty hundred sixteen (5016), inclusive, fifty hundred eighteen (5018), fifty hundred twenty-two (5022) fifty hundred twenty-four (5024) to fifty hundred twenty-six (5026), inclusive, fifty-one hundred eighty-six (5186), fifty-one hundred eighty-eight (5188) to fifty-one hundred ninety-two (5192), inclusive, fifty-two hundred four (5204) and fifty-two hundred six (5206) of the compiled code of Iowa, and section fifty hundred forty-four of the supplement of said code, relating to the board of railroad commissioners, and the jurisdiction of 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 amended as follows, and when so amended the bill do pass:

Amend section twenty-nine (29) by substituting a period (.) for the comma (,) after the word "extend" in line six (6) and striking out all of the said sentence following said comma. Also amend by striking out all of said section twenty-nine (29) after the word "cases" in line eleven (11).

Also amend the bill by adding the following section:

"Sec. 30. Uniform gauge—inspection—order.

As often as it deems it expedient, the board shall examine all the railroads in the state that are less than four (4) feet eight and one-half (8½) inches gauge, and if, in the judgment of the board, it is necessary and reasonable to change the gauge of any such railroad to four (4) feet eight and one-half (8½) inches, it shall make an order in writing, fixing a reasonable time within which such gauge shall be changed, taking into consideration the life of the rolling stock of such narrow gauges, road and all other facts and conditions bearing on the length of time required to make such change.

Sec. 31. Rights and remedies not exclusive.

Nothing in this chapter shall abridge any rights or remedies existing at common law or by statute, but shall be in addition to such remedies."

JOHN M. RANKIN, *Chairman*.

Report adopted.

**Also:**

MR. SPEAKER: Your committee on railroads to whom was referred Senate File No. 195, a bill for an act to amend, revise and codify section fifty hundred ninety-two (5092) of the compiled code of Iowa, and sections fifty-two hundred forty-one (5241) and fifty-two hundred forty one-a one (5241-a1) of the supplement to said code relating to steam and interurban railway crossings at grade and the duty of employees, beg leave to report they have had 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 M. RANKIN, *Chairman.*

**Report adopted.****REPORT OF JOINT COMMITTEE ON ENROLLED BILLS**

Letts of Washington, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate File No. 241.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

**Report adopted.****CONSIDERATION OF SENATE AMENDMENTS**

On request of Forsling of Woodbury, House File No. 158, a bill for an act to amend, revise, and codify sections three thousand five hundred ninety-two (3592) to three thousand five hundred ninety-four (3594), inclusive, three thousand five hundred ninety-nine (3599) to three thousand six hundred two (3602), inclusive, three thousand six hundred five (3605) to three thousand six hundred twelve (3612), inclusive, three thousand six hundred twenty (3620), three thousand six hundred twenty-two (3622), three thousand six hundred twenty-three (3623), three thousand six hundred twenty-five (3625), three thousand six hundred twenty-six (3626), three thousand six hundred forty-two (3642) to three thousand six hundred forty-four (3644), inclusive, three thousand six hundred forty-seven (3647) to three thousand six hundred fifty-two (3652), inclusive, three thousand six hundred fifty-six (3656), three thousand six hundred fifty-nine (3659), and three thousand six hundred sixty-one (3661) to three thousand six hundred sixty-three (3663), inclusive, of the compiled code of Iowa, and section three thousand six hundred sixty (3660) of the supplement to said code, relating to municipal corporations, with Senate amendments, was taken up and the amendments read and considered.

## SENATE AMENDMENTS

Amend the title by inserting in the first line after the word "sections" the words and figures "three thousand five hundred seventy-four (3574)".

Amend section 3 by striking from line one the words and figures "thirty thousand (30,000)" and substitute therefor the words and figures "fifteen thousand (15,000)".

Amend section 4 by striking from line two the word "management" and substitute the word "operation"; by striking from line seven the word "the" and substitute the word "their"; by striking the words "of any city" and inserting in line 8 between the words "be" and "without" the word "issued".

Amend section 7 by inserting in line two before the word "fortune" the words "swimming pools, and"; by striking from line 4 the word "saloons" in both caption and text and substituting the word "halls"; by substituting a comma (,) for the period (.) at the end of line 6 and adding the words "and near beer or soft drink saloons".

Amend section 9 by striking from line one the words "by ordinance"; and by striking from line three the words "which may be".

Amend section 10, line 3, by adding to the word "material" the letter "s".

Amend section 22 by striking from line two the word "and" and substituting the word "or".

Amend section 23 by inserting in line one after the word "published" the words "in pamphlet form or" and by striking the remainder of the section after the period in line four.

Amend section 26 by striking therefrom the first line and the first word of the second line and inserting in lieu thereof the following:

"The auditor of state shall prepare said reports for publication in a separate volume. Said report shall show".

Also amend section 26 by striking out the last three lines except the word "municipalities".

Amend by inserting after section 28 the following:

"That section three thousand five hundred seventy-four (3574) of the compiled code of Iowa is amended, revised and codified to read as follows:

"Section 29. Municipal corporations shall have power to make and publish, from time to time, ordinances, not inconsistent with the laws of the state, for carrying into effect or discharging the powers and duties conferred by this title, and such as shall seem necessary and proper to provide for the safety, preserve the health, promote the prosperity, improve the morals, order, comfort and convenience of such corporations and the inhabitants thereof, and to enforce obedience to such ordinances by fine not exceeding one hundred dollars (\$100.00), or by imprisonment not exceeding thirty days.

Amend section 28, line one, by striking the words and figures "twenty-two (22) to twenty-six (26)" and substituting therefor the words and figures "twenty-one (21) to twenty-five (25)".

Mr. Forsling 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:

Aiken	Forsling	Letts	Sampson
Anderson of	Frahm	Lichty	Saunders
Webster	Gallagher	Lieberknecht	Schirmer
Berry	Garber of Adair	Long	Scott of
Blake	Garber of Floyd	Miller	Appanoose
Blume	Gibson	Moen	Scott of Fremont
Brady	Gilbert	Napler	Slemmons
Brittain	Gilmore	Noble	Smith of
Buffington	Graham	O'Donnell	Chickasaw
Children	Grimwood	Oliver	Smith of Lucas
Clark	Harrison	Ontjes	Stock
Colbert	Hattendorf	Orr	Stookesberry
Cole	Healy	Parsons	Storey
Criswell	Hempel	Patterson	Strippel
Dewar	Henderson	Peterson	Ulstad
Diltz	Hollis	Quirk	Venard
Donhowe	Huff	Rankin	Wamstad
Dooley	Johnson	Rassler	Weber
Dotts	King	Rewoldt	Wilson
Edge	Knutson	Rhinehart	Yenter
Elllott	Lake	Robson	Mr. Speaker—84
Fackler	Leonard	Rust	

Absent or not voting:

Bradley	Hansen	Mathews	Ramsey
Carter	Hauge	Matthiesen	Rumley
Doolittle	Held	Natvig	Schulte
Edson	Himebauch	Olson	Vincent
Gesman	Lovrien	Potts	Williams
Gilbertson	McClune	Powers	Wolfe—24

So the House refused to concur in the Senate amendments to House File No. 158.

#### CONSIDERATION OF BILLS

Senate File No. 31, a bill for an act to amend, revise, and codify sections six hundred (600), six hundred nine (609), and six hundred ten (610) of the compiled code of Iowa, relating to the time and manner of qualifying of elected or appointed officers, with report of committee recommending passage, was taken up for consideration.

Graham of Wapello moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Matthiesen	Scott of
Anderson of	Garber of Floyd	Miller	Appanoose
Webster	Gibson	Moen	Scott of Fremout
Berry	Gilbert	Napier	Slemmons
Blake	Gilbertson	Noble	Smith of
Blume	Gilmore	O'Donnell	Chickasaw
Brady	Graham	Oliver	Smith of Lucas
Brittain	Grimwood	Ontjes	Stock
Buffington	Hattendorf	Orr	Stookesberry
Children	Healy	Parsons	Storey
Colbert	Hempel	Patterson	Strippel
Cole	Henderson	Peterson	Ulstad
Criswell	Hollis	Powers	Venard
Dewar	Huff	Quirk	Vincent
Diltz	Johnson	Rankin	Wamstad
Donhowe	King	Rassler	Weber
Dooley	Knutson	Rewoldt	Wilson
Dotts	Lake	Rhinehart	Wolfe
Edge	Leonard	Robson	Yenter
Elliott	Letts	Rust	Mr. Speaker—86
Fackler	Lichty	Sampson	
Forsling	Lieberknecht	Saunders	
Frahm	Long	Schirmer	

The nays were, none.

Absent or not voting:

Bradley	Gesman	Lovrien	Ramsey
Carter	Hansen	McClune	Rumley
Clark	Harrison	Mathews	Schulte
Doolittle	Hauge	Natvig	Williams—22
Edson	Held	Olson	
Garber of Adair	Himebauch	Potts	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 153, a bill for an act to amend, revise, and codify sections three thousand four hundred seventy-one (3471) to three thousand four hundred seventy-three (3473), inclusive, three thousand four hundred seventy-nine (3479) to three thousand four hundred eighty-one (3481), inclusive, thirty-four hundred eighty-four (3484), three thousand four hundred eighty-eight (3488), three thousand four hundred ninety-seven (3497), three thousand five hundred four (3504), and three thousand five hundred nineteen (3519) of the compiled code of Iowa, relating to municipal corporations, with report of committee recommending passage, was taken up for consideration.

Diltz of Polk offered the following amendment to Senate File No. 153:

Amend Senate File No. 153 by striking therefrom sections 5-a1, 5-a2, 5-a3 and 5-a4.

Also amend by striking from the title and from the preamble to section 5-a1 the words and figures "and section thirty-four hundred eighty-four (3484)".

Rassler of Pocahontas moved that Senate File No. 153 be referred to the committee on elections.

Forsling of Woodbury moved that action on Senate File No. 153 be deferred until Tuesday, January 29th, at 10:00 a. m.

Motion prevailed.

Senate File No. 289, a bill for an act to legalize the levy and collection by the board of supervisors and treasurer of Monroe county, Iowa, of a cemetery tax of five-tenth (.5) of one mill (.001) on the dollar, of the taxable property of Monroe county, Iowa, for the year 1922, with report of committee recommending passage, was taken up for consideration.

Berry of Monroe moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Garber of Adair	Long	Scott of Appanoose
Berry	Garber of Floyd	Matthiesen	Slemmons
Blume	Gilbert	Napier	Smith of Chickasaw
Brady	Gilbertson	Noble	Smith of Lucas
Buffington	Gilmore	O'Donnell	Stock
Carter	Graham	Olson	Stookesberry
Clark	Grimwood	Ontjes	Storey
Colbert	Hattendorf	Parsons	Strippel
Criswell	Healy	Peterson	Venard
Diltz	Hempel	Powers	Vincent
Donhowe	Henderson	Rassler	Wamstad
Dooley	Hollis	Rewoldt	Weber
Dotts	Huff	Rhinehart	Wilson
Edge	Johnson	Robson	Yenter
Elliott	King	Rust	Mr. Speaker—71
Fackler	Lake	Sampson	
Forsling	Leonard	Saunders	
Gallagher	Letts	Schirmer	
	Lieberknecht	Scott of Fremont	

The nays were:

Brittain Oliver—2

## Absent or not voting:

Aiken	Gesman	Lovrien	Quirk
Blake	Gibson	McClune	Ramsey
Bradley	Hansen	Mathews	Rankin
Children	Harrison	Miller	Rumley
Cole	Hauge	Moen	Schulte
Dewar	Held	Natvig	Ulstad
Doolittle	Himebauch	Orr	Williams
Edson	Knutson	Patterson	Wolfe—35
Frahm	Lichty	Potts	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Clark of Linn, unanimous consent having been given, House File No. 246, a bill for an act to amend, revise, and codify sections seventy hundred thirty-two (7032), eighty-four hundred eighty-six (8486), eighty-four hundred ninety (8490), eighty-four hundred ninety-one (8491), eighty-four hundred ninety-five (8495), eighty-four hundred ninety-six (8496), eighty-four hundred ninety-seven (8497), eighty-four hundred ninety-nine (8499), eighty-five hundred (8500), eighty-five hundred two (8502), eighty-five hundred four (8504) and eighty-five hundred twenty-eight (8528) of the compiled code of Iowa, relating to procedure in the supreme court, and qualifications for admission to the bar, with Senate amendments, was taken up and the amendments read and considered.

## SENATE AMENDMENTS

Amend the title to House File No. 246 by adding after the first comma in line two thereof the following words and figures: "seventy hundred thirty-five (7035),".

Amend Sec. 2 by inserting a semi-colon (;) in place of the period in line 4 and adding thereto the following: "but, when a motion for new trial, or in arrest of judgment, or for judgment notwithstanding the verdict has been filed, such time for appeal shall be automatically extended so as to permit the same at any time within 60 days after the entry of the ruling upon such motion."

Amend Sec. 5 by inserting a period after the word "made" in line 4 and striking out the words "within the time allowed for taking appeal." contained in lines 4 and 5.

Amend Sec. 9 by inserting between the words "the" and "court" in line 6 thereof the word "supreme".

Amend Sec. 13 by striking therefrom the last sentence and inserting in lieu thereof the following: "The adverse party may file a printed argument

in response. If the party applying for a rehearing shall give notice of oral argument in his petition, then both parties shall be entitled to be heard orally, unless the party giving notice waives argument."

Amend by adding the following:

"That section seventy hundred thirty-five (7035) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Section 15. Fees—how used.

Every applicant for admission shall pay to the clerk of the supreme court an examination fee of five dollars, payable before the examination is commenced. Practitioners from other states seeking admission to practice in this state as provided by law shall pay an admission fee of ten (10) dollars. The fees thus paid to the clerk shall be retained by him as a special fund to be appropriated as otherwise provided; and any amount thereof remaining in his hands unappropriated on the thirtieth day of June of each year shall be turned over to the state treasury."

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

On the question "Shall the House concur?"

The ayes were:

Aiken	Frahm	Long	Scott of
Anderson of	Gallagher	Matthiesen	Appanoose
Webster	Garber of Adair	Napier	Scott of Fremont
Berry	Gibson	Noble	Slemmons
Blake	Gilbert	Oliver	Smith of
Blume	Gilbertson	Olson	Chickasaw
Brady	Gilmore	Ontjes	Smith of Lucas
Brittain	Graham	Orr	Stock
Buffington	Grimwood	Parsons	Stookesberry
Carter	Hattendorf	Patterson	Storey
Clark	Healy	Peterson	Strippel
Colbert	Hempel	Powers	Venard
Criswell	Henderson	Quirk	Wamstad
Dewar	Hollis	Rankin	Weber
Diltz	Johnson	Rewoldt	Wilson
Donhowe	King	Rhinehart	Wolfe
Dooley	Lake	Robson	Yenter
Dotts	Leonard	Rust	Mr. Speaker—78
Edge	Letts	Sampson	
Elliott	Lichty	Saunders	
Fackler	Lieberknecht	Schirmer	

The nays were:

Children Miller—2

Absent or not voting:

Bradley	Hansen	Lovrien	Ramsey
Cole	Harrison	McClune	Rassler
Doolittle	Hauge	Mathews	Rumley
Edson	Held	Moen	Schulte
Forsling	Himebauch	Natvig	Ulstad
Garber of Floyd	Huff	O'Donnell	Vincent
Gesman	Knutson	Potts	Williams—28

So the House concurred in the Senate amendments to House File No. 246.

#### 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. 174, a bill for an act to amend, revise, and codify the law relating to waterworks in cities of one hundred thousand.

Also, that the Senate recedes from its amendments to the following bill:

House File No. 270, a bill for an act to amend, revise, and codify the law relating to the forfeiture of contracts to sell or to agree to sell an interest in real estate.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 32, a bill for an act to amend, revise, and codify the law relating to the bonds of public officers.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 86, a bill for an act to amend, revise, and codify the law relating to education—superintendent of public instruction.

L. W. AINSWORTH, *Secretary.*

#### SENATE AMENDMENTS TO HOUSE FILE NO. 32

Amend the title by striking out the period after the word "officers" in line 5 and inserting a comma, and adding thereto the following: "and to the appointment of a superintendent of printing and of a custodian of public buildings and grounds."

#### SENATE AMENDMENTS TO HOUSE FILE NO. 86

Amend section 4 by adding as paragraphs 1 and 2 the following:

"1. Filing and preserving reports. File and preserve all reports, documents and correspondence that may be of a permanent value, which shall be open for inspection under reasonable conditions by any citizen of the state.

2. Keep a record of the business transacted by him."

Also amend by renumbering the paragraphs of said section to correspond.

Amend paragraph 6 of section 4 by striking out the words "public and private" in line 23 of said section.

Amend paragraph 7 of section 4 by striking out the words "public and private" in line 28 of said section.

Amend section 4 by striking therefrom lines 38, 39, 40, 41 and 42 thereof, being paragraph 9 of said section.

Amend by inserting after the figures "1925" in section 6 the following: "or so much thereof as may be necessary".

#### MOTION TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: I move to reconsider the vote by which the House concurred in the Senate amendments to House File No. 246.

FRANK C. LAKE.

I second the motion.

J. A. KING.

#### AMENDMENTS FILED

Garber of Floyd filed the following amendment to House File No. 117:

Amend House File No. 117 by inserting immediately after section 6 the following:

"Sec. 6-a1. Reimbursement.

Where any town or city, including special charter, commission plan and manager plan cities, having a population of less than twenty-five hundred (2500) has heretofore, and since the enactment of chapter two hundred thirty-seven (237), acts of the thirty-eighth general assembly, procured at its own expense right of way for a primary road in order to accomplish any of the purposes enumerated in section five of this act, the board of supervisors is authorized to reimburse said city or town from the primary road fund for the cost of such right of way."

Ontjes of Grundy filed the following amendments to Senate File No. 99:

Amend section 3 of Senate File No. 99 as follows:

Amend line three by inserting after the word "districts" the word "and subdistricts".

Amend line four by inserting after the word "each" the words "sub-district of a".

Amend line five by striking out the words "all the" and inserting the word "each".

Amend by striking out section 4, and in lieu thereof inserting the following:

"Sec. 4. Each city, town, or village independent district and each consolidated district and each rural independent district shall be represented at the convention by the president of the school board, or in his absence or inability to act, by some member of the board to be selected by the

board. Each subdistrict shall be represented by the subdirector thereof, who shall be a member of the convention, or in case of his absence or inability to act, by some resident elector of the district appointed by the school township board, but if there are fewer members of the school township board than subdistricts, then the board shall appoint one resident elector of each subdistrict as a representative thereof. When the selections have been made the secretaries of the respective boards shall notify the county auditor, stating the name and post-office address of the several delegates."

Amend section 5 by striking from lines two (2) and three (3) the words "to the president and secretary of each school corporation" and inserting in lieu thereof the words "to each delegate".

Oliver of Monona filed the following amendment to House File No. 110:

Amend House File No. 110, section nine (9), by adding to line five (5) after the word "purposes" the following: ", provided, however, that any election called by the board of directors of any school corporation for the purpose of voting on the question of issuing school bonds shall receive an affirmative vote equal to at least sixty (60) per cent of all votes cast at such election".

On motion of Dotts of Wayne the House adjourned until 9:30 a. m. Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 29, 1924.

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

Prayer was offered by the Rev. Harold G. Barr, pastor of Highland Park Christian church, Des Moines, Iowa.

Journal of January 28th corrected and approved.

## REPORTS OF COMMITTEE

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 292, a bill for an act to legalize the acts of the board of directors of the school township of Elkhorn, Plymouth 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.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 275, a bill for an act to amend, revise and codify chapter twenty-five-A (25-A) of title four (4) of the supplement to the compiled code of Iowa relating to the sale of public 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, and when so amended the bill do pass:

Amend section one (1) by striking out of lines 5 and 6 the words "and in at least one (1) newspaper of general circulation in the state,".

Amend section three (3) by striking out all after the word "or" in line 2, and inserting in lieu thereof the following: "the bonds or any portion thereof may thereafter be sold at private sale to any one or more of such bidders, or other persons, by popular subscription or otherwise. In all cases the said bonds shall be sold as may best serve the interests of the public and on the best available terms."

Amend the bill by adding a new section, as follows:

"Sec. 8. Nothing in this act shall be deemed to prevent the exchange of bonds for legal indebtedness evidenced by bonds, warrants or judgments as otherwise provided by law."

C. F. CLARK, *Chairman.*

Report adopted.

#### HOUSE RESOLUTION CONSIDERED

Moen of Lyon called up the resolution offered by him, relative to the consideration and report by committees of odd-numbered bills, together with the report of the committee on code revision recommending amendment and adoption, and the amendment to the committee amendment filed by Slemmons of Buchanan on January 25th.

Mr. Slemmons moved the adoption of the following amendment filed by him to the committee amendment:

Amend the committee amendment to the House Resolution by Moen by adding to the end thereof the following: "Provided, however, that no such bill shall be called up until the second day after such agreement shall have been printed in the Journal.

Criswell of Boone moved the previous question as applied to all pending amendments.

Motion prevailed.

On the question "Shall the amendment to the committee amendment be adopted?" a roll call was demanded.

The ayes were:

Alken	Frahm	Long	Scott of
Anderson of	Gesman	Miller	Appanoose
Webster	Gilbertson	Napier	Scott of Fremont
Berry	Graham	Noble	Slemmons
Blake	Harrison	Oliver	Smith of Lucas
Blume	Hattendorf	Olson	Stookesberry
Brady	Hempel	Orr	Storey
Brittain	Henderson	Potts	Ulstad
Children	Huff	Quirk	Venard
Criswell	Johnson	Rankin	Wamstad
Dooley	King	Rassler	Wolfe—51
Dotts	Lake	Rewoldt	
Elliott	Leonard	Robson	
Fackler	Lichty	Rumley	

The nays were:

Carter	Clark	Diltz	Forsling
Bradley	Colbert	Donhowe	Gallagher
Buffington	Cole	Edson	Garber of Adair

Gibson	Lieberknecht	Patterson	Strippel
Gilbert	Lovrien	Peterson	Vincent
Grimwood	McClune	Powers	Weber
Hansen	Matthiesen	Rhinehart	Williams
Hauge	Moen	Schulte	Wilson
Held	O'Donnell	Smith of	Mr. Speaker—41
Hollis	Ontjes	Chickasaw	
Letts	Parsons	Stock	

## Absent or not voting:

Dewar	Gilmore	Mathews	Sampson
Doolittle	Healy	Natvig	Saunders
Edge	Himebauch	Ramsey	Schirmer
Garber of Floyd	Knutson	Rust	Yenter—16

## Amendment to the committee amendment adopted.

On motion of Gilbert of Marshall the committee amendment, as amended, was adopted.

On the question "Shall the resolution, as amended, be adopted?" a roll call was demanded.

## The ayes were:

Bradley	Held	McClune	Strippel
Buffington	Henderson	Moen	Vincent
Carter	Hollis	Ontjes	Williams
Edson	Johnson	Robson	Wilson
Forsling	Lichty	Smith of	Mr. Speaker—22
Gilbert	Lovrien	Chickasaw	

## The nays were:

Aiken	Fackler	Lake	Rankin
Anderson of	Frahm	Leonard	Rassler
Webster	Gallagher	Letts	Rewoldt
Berry	Garber of Adair	Long	Rumley
Blake	Gesman	Matthiesen	Schulte
Blume	Gibson	Miller	Scott of
Brady	Gilbertson	Napier	Appanoose
Brittain	Graham	Noble	Scott of Fremont
Children	Grimwood	O'Donnell	Slemmons
Colbert	Hansen	Oliver	Smith of Lucas
Criswell	Harrison	Olson	Stock
Diltz	Hattendorf	Orr	Stookesberry
Donhowe	Hauge	Parsons	Ulstad
Dooley	Hempel	Patterson	Venard
Dotts	Huff	Peterson	Wamstad
Edge	King	Potts	Weber
Elliott	Knutson	Quirk	Wolfe—66

## Absent or not voting:

Clark	Gilmore	Natvig	Sampson
Cole	Healy	Powers	Saunders
Dewar	Himebauch	Ramsey	Schirmer
Doolittle	Lieberknecht	Rhinehart	Storey
Garber of Floyd	Mathews	Rust	Yenter—20

Resolution, as amended, was lost.

## CONSIDERATION OF BILLS

The hour of 10:00 a. m. having arrived, the House resumed consideration of Senate File No. 153, a bill for an act to amend, revise, and codify sections three thousand four hundred seventy-one (3471) to three thousand four hundred seventy-three (3473), inclusive, three thousand four hundred seventy-nine (3479) to three thousand four hundred eighty-one (3481), inclusive, thirty-four hundred eighty-four (3484), three thousand four hundred eighty-eight (3488), three thousand four hundred ninety-seven (3497), three thousand five hundred four (3504), and three thousand five hundred nineteen (3519) of the compiled code of Iowa, relating to municipal corporations.

The following amendments offered by Diltz of Polk were taken up for consideration:

Amend Senate File No. 153 by striking therefrom sections 5-a1, 5-a2, 5-a3 and 5-a4.

Also amend by striking from the title and from the preamble to section 5-a1 the words and figures "and section thirty-four hundred eighty-four (3484)":

On motion of Mr. Diltz the amendments were adopted.

Forsling of Woodbury moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Forsling	McClune	Sampson
Webster	Frahm	Miller	Schirmer
Berry	Gallagher	Moen	Schulte
Blake	Garber of Adair	Napier	Scott of
Blume	Gesman	O'Donnell	Appanoose
Bradley	Gibson	Oliver	Scott of Fremont
Brittain	Gilbert	Olson	Slemmons
Buffington	Grimwood	Ontjes	Smith of
Carter	Hattendorf	Orr	Chickasaw
Children	Hauge	Parsons	Smith of Lucas
Clark	Healy	Patterson	Stock
Colbert	Hempel	Peterson	Stookesberry
Cole	Henderson	Potts	Storey
Criswell	Hollis	Powers	Strippel
Dewar	Huff	Quirk	Venard
Diltz	Johnson	Rankin	Vencent
Dooley	King	Rassler	Weber
Dotts	Knutson	Rewoldt	Williams
Edge	Lake	Rhinehart	Wilson
Edson	Lichty	Robson	Wolfe
Elliott	Long	Rumley	Mr. Speaker—84
Fackler	Lovrien	Rust	

The nays were, none.

Absent or not voting:

Aiken	Gilmore	Leonard	Noble
Brady	Graham	Letts	Ramsey
Donhowe	Hansen	Lieberknecht	Saunders
Doolittle	Harrison	Mathews	Ulstad
Garber of Floyd	Held	Matthiesen	Wamstad
Gilbertson	Himebauch	Natvig	Yenter—24

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### INTRODUCTION OF BILLS

House File No. 288, by Lake of Woodbury and Forsling of Woodbury, a bill for an act to legalize the issuance of certain warrants of the city of Sioux City, Iowa, issued against the police equipment fund of said city and legalizing and validating said warrants as issued.

Read first and second times and referred to committee on judiciary.

House File No. 289, by Harrison of Pottawattamie, a bill for an act to amend, revise, and codify chapters five (5) and six (6) of title one (1) and section fifty-eight (58) of the compiled code of Iowa and sections forty-three-a one (43-a1), forty-three-a two (43-a2), forty-three-a five (43-a5), forty-three-a six (43-a6), fifty-seven-a one (57-a1) to fifty-seven-a three (57-a3), inclusive, fifty-nine (59), sixty (60), one hundred seventy-five-a four (175-a4) to one hundred seventy-five-a nine (175-a9), inclusive, one hundred seventy-five-a twelve (175-a12), one hundred seventy-five-a thirteen (175-a13), and two hundred forty-one-a thirty-eight (241-a38) of the supplement to said code, relating to the preparation, publication, use, custody, sale, and distribution of the laws of the state and of other publications of a legal nature, and to the powers and duties of the reporter of the supreme court, state printing board, superintendent of printing, and other public officers, with reference to such laws and publications.

Read first and second times and referred to committee on code revision.

House File No. 290, by Carter of Hardin, a bill for an act to legalize a special election held in the city of Iowa Falls, Iowa,

for the erecting and equipping of a liberty memorial building and the issuance of bonds to pay the cost thereof.

Read first and second times and referred to committee on judiciary.

#### CONSIDERATION OF BILLS

House File No. 90, a bill for an act to amend, revise, and codify sections two thousand three hundred eighteen (2318) to two thousand three hundred twenty-six (2326), inclusive, two thousand three hundred twenty-nine (2329) to two thousand three hundred forty-four (2344), inclusive, two thousand three hundred forty-seven (2347), two thousand three hundred ninety-eight (2398) to two thousand four hundred fourteen (2414), inclusive, two thousand four hundred thirty-two (2432), two thousand four hundred thirty-six (2436), two thousand four hundred thirty-seven (2437), two thousand four hundred forty (2440) and two thousand four hundred forty-four (2444) of the compiled code of Iowa, and sections two thousand three hundred twenty-seven (2327) and two thousand three hundred twenty-eight (2328) of the supplement to said code, relating to education, was taken up for consideration.

Amendment No. 1 filed by Children of Pottawattamie on January 15th was taken up for consideration:

1. Amend the paragraph following the enacting clause as follows: Strike out of lines two (2) and three (3) the words and figures "two thousand three hundred twenty-nine (2329)" and insert in lieu thereof the words and figures "two thousand three hundred thirty-two (2332)".

Clark of Linn offered the following amendment as a substitute for amendment No. 1 by Children of Pottawattamie:

Amend amendment No. 1 to House File No. 90 as proposed by Children of Pottawattamie, and found on page 351 of the House Journal, by striking out said amendment No. 1 and inserting in lieu thereof the following:

"Amend section thirty (30) of House File No. 90 by adding thereto the following:

All claims under this section shall be filed with and allowed by the state board of audit in the same manner as may now or hereafter be required in the case of claims for similar expenses by state officers."

Mr. Clark moved that the amendment be substituted for amendment No. 1 by Mr. Children.

Motion prevailed.

Mr. Clark moved that the substitute amendment be adopted.

Amendment adopted.

Amendment No. 2 filed by Children of Pottawattamie on January 15th was taken up for consideration.

Upon request of Mr. Children, unanimous consent having been obtained, amendment No. 2 was withdrawn.

Amendment No. 3 filed by Children of Pottawattamie on January 15th was taken up for consideration:

3. Amend by striking out section eleven (11) and inserting in lieu thereof the following:

"No sale or purchase of real estate shall be made save upon the order of the board, made at a regular meeting, or one called for that purpose, and then in such manner and under such terms as the board may prescribe and only with the approval of the executive council. No member of the board or finance committee nor any officer of any institution, shall be directly or indirectly interested in such purchase or sale."

On motion of Mr. Children the amendment was adopted.

Amendment No. 4 filed by Children of Pottawattamie on January 15th was taken up for consideration.

Upon request of Mr. Children, unanimous consent having been obtained, amendment No. 4 was withdrawn.

Amendment No. 5 filed by Children of Pottawattamie on January 15th was taken up for consideration:

5. Amend section twenty-six (26), subsection two (2), by inserting after the word "endowment" in line six (6) the words "and other". Also by inserting before the word "tuition" in same line the words "state appropriations,".

On motion of Mr. Children the amendment was adopted.

Amendment No. 6 filed by Children of Pottawattamie on January 15th was taken up for consideration.

The following amendment filed by Clark of Linn on January 23d as a substitute for amendment No. 6 by Mr. Children was taken up for consideration:

Amend amendment No. 6 submitted by Children of Pottawattamie, as shown on page 352 of the House Journal, by striking out the same and inserting in lieu thereof the following:

"6. Amend by striking out all of section twenty-seven (27) following the head note and inserting the following in lieu thereof:

The board shall, biennially, at the time provided by law, report to the governor and the legislature such facts, observations and conclusions respecting each of such institutions as in the judgment of the board should be considered by the legislature. Such report shall contain an itemized account of the receipts and expenditures of the board and finance committee, and also the reports made to the board by the executive officers of the several institutions or a summary thereof, and shall submit budgets for biennial appropriations deemed necessary and proper to be made for the support of the several institutions and for the extraordinary and special expenditures for buildings, betterments and other improvements."

Mr. Clark moved that the amendment be substituted for amendment No. 6 by Mr. Children.

Motion prevailed.

Mr. Clark moved that the substitute amendment be adopted. Amendment adopted.

Amendment No. 7 filed by Children of Pottawattamie on January 15th was taken up for consideration.

Upon request of Mr. Children, unanimous consent having been obtained, amendment No. 7 was withdrawn.

The following amendment filed by Slemmons of Buchanan on January 11th was taken up for consideration:

Amend House File No. 90 by striking out subsection three (3) of section ten (10) and renumbering the remaining subsections.

On motion of Mr. Slemmons the amendment was adopted.

The following amendment filed by Oliver of Monona on January 11th was taken up for consideration:

Amend section thirty (30) of House File No. 90 by inserting between the words "the" and "expenses" in line two (2) thereof, the words "actual necessary", also by inserting between the words "the" and "expenses" in line three (3) thereof, the words "actual necessary".

On motion of Mr. Oliver the amendment was adopted.

The following amendment filed by Storey of Warren on January 22d was taken up for consideration:

Amend House File No. 90 by striking out all of section thirty-two (32) and substituting in lieu thereof the following:

"Sec. 32. The contract or contracts for such instruction shall be made without expense to the state, either directly or indirectly."

Rassler of Pocahontas moved the previous question.

Motion lost.

On the question "Shall the amendment by Storey of Warren be adopted?" a roll call was demanded.

The ayes were:

Aiken	Garber of Floyd	Napier	Scott of
Anderson of	Gesman	Noble	Appanoose
Webster	Gibson	Oliver	Scott of Fremont
Berry	Gilbertson	Olson	Smith of
Blake	Harrison	Ontjes	Chickasaw
Blume	Hattendorf	Orr	Smith of Lucas
Brady	Hempel	Parsons	Stookesberry
Brittain	Henderson	Patterson	Storey
Buffington	Huff	Peterson	Ulstad
Children	King	Potts	Venard
Criswell	Leonard	Powers	Wamstad
Dooley	Long	Rassler	Wolfe—54
Dotts	Matthiesen	Rewoldt	
Fackler	Miller	Rumley	
Frahm	Moen	Schulte	

The nays were:

Bradley	Garber of Adair	Letts	Saunders
Carter	Gilbert	Lichty	Schirmer
Clark	Graham	Lieberknecht	Stock
Colbert	Grimwood	Lovrien	Strippel
Cole	Hansen	McClune	Vincent
Dewar	Hauge	O'Donnell	Weber
Diltz	Healy	Quirk	Williams
Donhowe	Held	Rankin	Wilson
Edson	Hollis	Rhinehart	Yenter
Elliott	Johnson	Robson	Mr. Speaker—46
Forsling	Knutson	Rust	
Gallagher	Lake	Sampson	

Absent or not voting:

Doolittle	Gilmore	Mathews	Ramsey
Edge	Himebauch	Natvig	Slemmons—8

Amendment adopted.

On request of Harrison of Pottawattamie, unanimous consent having been obtained, the amendment filed by him on January 22d was withdrawn.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Blake	Brittain	Colbert
Anderson of	Blume	Buffington	Criswell
Webster	Brady	Children	Diltz

Donhowe	Held	Noble	Slemmons
Dotts	Hempel	Oliver	Smith of
Edge	Henderson	Olson	Chickasaw
Edson	Huff	Ontjes	Smith of Lucas
Fackler	Johnson	Parsons	Stock
Forsling	King	Patterson	Stookesberry
Frahm	Knutson	Peterson	Storey
Garber of Adair	Lake	Potts	Strippel
Gesman	Leonard	Powers	Ulstad
Gibson	Letts	Quirk	Venard
Gilbertson	Lovrien	Rassler	Vincent
Graham	McClune	Rewoldt	Wamstad
Hansen	Matthiesen	Rumley	Weber
Harrison	Miller	Schirmer	Wilson
Hattendorf	Moen	Schulte	Wolfe
Healy	Napier	Scott of Fremont	Mr. Speaker—74

The nays were:

Bradley	Gallagher	O'Donnell	Rust
Carter	Grimwood	Rhinehart	Yenter—11
Dewar	Hollis	Robson	

Absent or not voting:

Berry	Garber of Floyd	Lieberknecht	Rankin
Clark	Gilbert	Long	Sampson
Cole	Gilmore	Mathews	Saunders
Dooley	Hauge	Natvig	Scott of
Doolittle	Himebauch	Orr	Appanoose
ElHott	Lichty	Ramsey	Williams—23

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Forsling of Woodbury, House File No. 160, a bill for an act to amend, revise, and codify sections three thousand six hundred eighty-seven (3687), three thousand seven hundred (3700) and three thousand seven hundred three (3703) of the compiled code of Iowa, relating to municipal corporations, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend by striking out all after the enacting clause, and substituting in lieu thereof the following:

"Section 1. That chapter ten (10) title thirteen (13), being sections three thousand six hundred eighty-seven (3687) to three thousand seven hundred three (3703), inclusive, of the compiled code of Iowa, be and the same is hereby repealed."

Amend by striking the title, and substituting in lieu thereof the following:

"An act to repeal chapter ten (10) title thirteen (13), being sections three thousand six hundred eighty-seven (3687) to three thousand seven hundred three (3703), inclusive, of the compiled code of Iowa, relating to boards of public works in certain cities."

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Forsling	Letts	Rust
Webster	Gallagher	Lichty	Schirmer
Berry	Garber of Adair	Lieberknecht	Schulte
Blume	Gesman	Lovrien	Scott of Fremont
Bradley	Gibson	McClune	Slemmons
Brady	Graham	Napler	Smith of
Brittain	Grimwood	O'Donnell	Chickasaw
Buffington	Hansen	Oliver	Smith of Lucas
Children	Hattendorf	Olson	Stock
Clark	Healy	Parsons	Stookesberry
Colbert	Held	Patterson	Strippel
Cole	Henderson	Peterson	Venard
Criswell	Hollis	Powers	Wamstad
Dotts	Huff	Quirk	Weber
Edge	King	Rassler	Wilson
Edson	Knutson	Rewoldt	Yenter
Fackler	Lake	Rhinehart	Mr. Speaker—66

The nays were:

Elliott—1

Absent or not voting:

Aiken	Gilbertson	Miller	Sampson
Blake	Gilmore	Moen	Saunders
Carter	Harrison	Natvig	Scott of
Dewar	Hauge	Noble	Appanoose
Diltz	Hempel	Ontjes	Storey
Donhowe	Himebauch	Orr	Ulstad
Dooley	Johnson	Potts	Vincent
Doolittle	Leonard	Ramsey	Williams
Frahm	Long	Rankin	Wolfe—41
Garber of Floyd	Mathews	Robson	
Gilbert	Matthiesen	Rumley	

The House concurred in the Senate amendments to House File No. 160.

On request of Forsling of Woodbury, House File No. 176, a bill for an act to amend, revise, and codify sections four thousand twenty-three (4023), four thousand twenty-four (4024), four thousand twenty-seven (4027), four thousand nine hundred sixty-nine (4969), four thousand nine hundred seventy (4970), three thousand seven hundred twenty-five (3725), three thousand seven

hundred thirty-six (3736), three thousand seven hundred fifty-three (3753), three thousand seven hundred fifty-four (3754), and three thousand seven hundred seventy-five (3775) of the compiled code of Iowa, relating to municipal corporations, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend by striking out the word "sewers" with the comma (,) following, between the words "for" and "sewer" in line 15, section 1.

Amend section two (2) by striking out lines 5, 6, and 7, and substituting in lieu thereof the following: "including a suitable roadway thereto by the most reasonable route, for the purpose of obtaining gravel, stone, or other suitable material with which to improve the streets and alleys of said city or town."

Amend by striking from section four (4) all that part following the word "town" in line 5. Also by striking the comma (,) appearing after the word "town" in said line and inserting a period (.) in lieu thereof.

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

On the question "Shall the House concur?"

The ayes were:

Blume	Gallagher	Lieberknecht	Schirmer
Bradley	Garber of Adair	Lovrien	Scott of Fremont
Brady	Gesman	Napier	Slemmons
Brittain	Graham	Noble	Smith of
Buffington	Grimwood	O'Donnell	Chickasaw
Clark	Hattendorf	Oliver	Smith of Lucas
Colbert	Healy	Olson	Stock
Cole	Held	Parsons	Strippel
Criswell	Henderson	Patterson	Venard
Diltz	Hollis	Peterson	Wamstad
Dotts	King	Powers	Weber
Edge	Knutson	Quirk	Wilson
Elliott	Lake	Rhinehart	Yenter
Fackler	Lets	Robson	Mr. Speaker—58
Forsling	Lichty	Rust	

The nays were:

Miller	Rassler	Stookesberry
Orr	Rewoldt	Wolfe—6

Absent or not voting:

Aiken	Blake	Donhowe	Frahm
Anderson of	Carter	Dooley	Garber of Floyd
Webster	Children	Doolittle	Gibson
Berry	Dewar	Edson	Gilbert

Gilbertson	Johnson	Ontjes	Scott of
Gilmore	Leonard	Potts	Appanoose
Hansen	Long	Ramsey	Storey
Harrison	McClune	Rankin	Ulstad
Hauge	Mathews	Rumley	Vincent
Hempel	Matthiesen	Sampson	Williams—44
Himebauch	Moen	Saunders	
Huff	Natvig	Schulte	

The House concurred in the Senate amendments to House File No. 176.

#### 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. 111, a bill for an act to amend, revise, and codify the law relating to compulsory education.

Also, that the Senate amends and concurs in the House amendments to the following bill:

Senate File No. 151, a bill for an act to amend, revise, and codify the law relating to townships and township officers.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE NO. 151

Amend the amendment to section 10 by striking from the third line thereof the word "shall" and inserting in lieu thereof the word "may".

#### SENATE MESSAGE CONSIDERED

Senate File No. 111, a bill for an act to amend, revise, and codify chapter thirty-one (31) of title ten (10) of the compiled code of Iowa and of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

#### REPORTS OF COMMITTEES

Graham of Wapello, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections to whom was referred Senate File No. 23, a bill for an act to amend, revise, and codify chapter four (4) of the compiled code of Iowa, relating to the nomination and election of judges of the supreme, district, and superior courts, beg leave

to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

S. L. GRAHAM, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on elections to whom was referred Senate File No. 29, a bill for an act to amend, revise, and codify chapter eleven (11) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the making of statements of expenses by candidates for 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 do pass.

S. L. GRAHAM, *Chairman.*

Report adopted.

Brady of O'Brien, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture to whom was referred Senate Concurrent Resolution No. 8, with amendment by Edson of Buena Vista, beg leave to report they have 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, and when so amended the resolution do pass:

*Whereas*, There can be no permanent prosperity until agriculture is on an economic basis comparable with other industries; therefore,

*Be It Resolved by the Senate of Iowa, the House concurring*: That we urge prompt action by the Congress of the United States upon measures designed to give relief and specifically recommend as one of such measures the making of the tariff effective on those agricultural products, a portion of which is exported, by the establishment of a government export corporation to buy such products at a price equal in purchasing power to that enjoyed by those products before the war, and to sell them abroad at the world price, the loss on such exported portion to be pro-rated back to the producer.

A. V. BRADY, *Chairman.*

Report adopted.

#### PROOF OF PUBLICATION OF HOUSE FILE NO. 288

The official proof of publication of House File No. 288, a bill for an act to legalize the issuance of certain warrants of the city of Sioux City, Iowa, issued against the police equipment fund of said city, and legalizing and validating said warrants as issued, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## AMENDMENTS FILED

Criswell of Boone filed the following amendments to the substitute for House File No. 54:

Amend the substitute for House File No. 54 as follows:

Amend by striking out the word "auditor" wherever it occurs in said bill and inserting the word "recorder".

Also, amend section fifty-eight (58) by inserting preceding the first word of the first line of said section the following: "Except as otherwise provided in this chapter," and by changing the capital letter to a small letter in the first word of the first line of said section.

Hauge of Polk filed the following amendments to the substitute for House File No. 54:

Amend the substitute for House File No. 54 by inserting a period (.) after the word "lawful" in line nine (9) of section nineteen (19), and striking out the following words "and such" and inserting in lieu thereof the letter "A".

2. Further amend by striking from lines 2 and 4 in section five (5), the word and figure "four (4)" and insert in lieu thereof the word and figure "two (2)".

3. Further amend by striking from subsection six (6) of section fifty-six (56), all of lines twenty (20), twenty-one (21), twenty-two (22), and twenty-three (23), and substituting in lieu thereof the following:

"provided, that the state game warden shall have authority, in his discretion, to except Chinese ring-necked or English pheasants from any or all of the provisions of this section throughout all or any portion of this state, and to provide the extent of such exception by resolution to that effect, notice of which resolution shall be published for at least one issue in each of the official newspapers of any county affected, and provided further, that a permit to hunt, take, kill, Chinese ring-necked or English pheasants shall fix the same days as the opening date for all counties to which permits will be granted for that season and all the days for such permit shall be consecutive. The length of such exception shall not exceed five (5) days."

McClune of Mahaska filed the following amendment to House File No. 68:

Amend House File No. 68 by striking out of lines one (1) and two (2) of section forty-eight (48) the words "and directed".

On motion of Criswell of Boone the House adjourned until 9:00 a. m. Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, January 30, 1924.

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

Prayer was offered by the Rev. H. D. Glassburn, pastor of the Fort Des Moines M. E. church, Des Moines, Iowa.

Journal of January 29th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Doolittle of Delaware for the day, on request of Hauge of Polk; Ramsey of Butler for the day, on request of Olson of Clinton; Robson of Greene for the day, on request of Children of Pottawattamie; Natvig of Howard for the day, on request of Hattendorf of Osceola.

## PETITIONS

Gallagher of Iowa presented a petition from citizens of Williamsburg protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Carter of Hardin presented a petition from citizens of Hardin county protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Blume of Crawford presented a resolution from Crawford County Medical Society, urging the passage of House File No. 283 without amendments. Referred to committee on suppression of intemperance.

## REPORTS OF COMMITTEES

Gibson of Clarke, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred House File No. 142, a bill for an act to amend, revise, and codify chapter fourteen (14) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to county public hospitals and detention hospitals for contagious diseases, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section seven (7) by adding at the end thereof: ", none of whom shall be physicians or licensed practitioners."

D. M. GIBSON, *Chairman.*

Report adopted.

Sampson of Audubon, from the committee on departmental affairs, submitted the following report:

MR. SPEAKER: Your committee on departmental affairs to whom was referred Senate File No. 53, a bill for an act to amend, revise, and codify chapter ten (10) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to the state fire marshal and the prevention and investigation of fires; to provide the method of procedure in effecting appeals; also to provide a penalty for a 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, and when so amended the bill do pass:

Amend section 18 by striking from line five (5) the word and figures "twenty (20)" and inserting in lieu thereof the word and figures "thirty (30)".

Also amend by inserting after section twenty-two (22) the following:  
Sec. 22-a1. Appeal to supreme court.

Either party may appeal from a judgment or order of the district court within the time and in the manner provided by law for appeals in ordinary actions.

Sec. 22-a2. Suspension of order pending appeal.

Any order of the fire marshal from which an appeal has been taken to the district or supreme court, shall remain suspended during the pendency of such appeal.

F. C. SAMPSON, *Chairman.*

Report adopted.

#### HOUSE FILE NO. 18 REREFERRED

On request of Sampson of Audubon, unanimous consent having been obtained, House File No. 18 was withdrawn from the committee on departmental affairs and referred to the special committee appointed to prepare a budget bill.

## SPECIAL ORDER MADE

On request of Carter of Hardin, unanimous consent having been obtained, Calendar No. 1, House File No. 110 was made a special order for Tuesday, February 5th, at 10:30 a. m.

## CONSIDERATION OF SENATE AMENDMENT

On request of Children of Pottawattamie, Senate File No. 151, a bill for an act to amend, revise, and codify sections thirty-four hundred twenty-four (3424) to thirty-four hundred thirty-five (3435), inclusive, thirty-four hundred forty (3440), thirty-four hundred forty-one (3441), thirty-four hundred forty-five (3445), thirty-four hundred forty-six (3446), thirty-four hundred forty-nine (3449), thirty-four hundred fifty (3450), thirty-four hundred fifty-three (3453), thirty-four hundred fifty-four (3454), thirty-four hundred fifty-eight (3458) and thirty-four hundred fifty-nine (3459) of the compiled code of Iowa, and sections thirty-four hundred forty-five-a one (3445-a1) and thirty-four hundred forty-five-a two (3445-a2) of the supplement to said code, relating to townships and township officers, with Senate amendment to House amendments, was taken up and the amendment read and considered.

## SENATE AMENDMENT

Amend the amendment to section 10 by striking from the third line thereof the word "shall" and inserting in lieu thereof the word "may".

Mr. Children moved that the House concur in the Senate amendment to the House amendments.

On the question "Shall the House concur?"

The ayes were:

Anderson of	Edson	Hollis	Moen
Webster	Gallagher	Huff	Napier
Berry	Gibson	Johnson	Noble
Brady	Gilbertson	King	O'Donnell
Brittain	Graham	Knutson	Oliver
Buffington	Grimwood	Leonard	Olson
Carter	Hansen	Lovrien	Ontjes
Children	Harrison	Letts	Orr
Colbert	Hattendorf	Lichty	Parsons
Cole	Hauge	Lieberknecht	Patterson
Criswell	Healy	Long	Peterson
Dewar	Held	Mathews	Quirk
Dooley	Hempel	Matthiesen	Rankin
Dotts	Henderson	Miller	Rassler

Rewoldt	Scott of	Stock	Weber
Rhinehart	Appanoose	Stokesberry	Wilson
Rust	Slemmons	Storey	Wolfe
Sampson	Smith of	Strippel	Mr. Speaker—75
Schrmer	Chickasaw	Ulstad	
Scott of Fremont	Smith of Lucas	Wamstad	

The nays were:

Blume—1

Absent or not voting:

Aiken	Elliott	Gilmore	Robson
Blake	Fackler	Himebauch	Rumley
Bradley	Forsling	Lake	Saunders
Clark	Frahm	McClune	Schulte
Diltz	Garber of Adair	Natvig	Venard
Donhowe	Garber of Floyd	Potts	Vincent
Doolittle	Gesman	Powers	Williams
Edge	Gilbert	Ramsey	Yenter—32

The House concurred in the Senate amendment to the House amendments to Senate File No. 151.

On request of Hauge of Polk, House File No. 86, a bill for an act to amend, revise, and codify sections twenty-two hundred sixty-five (2265) to twenty-two hundred seventy (2270), inclusive, section twenty-two hundred seventy-two (2272) and sections twenty-two hundred seventy-four (2274) to twenty-two hundred seventy-six (2276), inclusive, of the compiled code of Iowa, and sections twenty-five hundred fifty-eight-a three (2558-a3) and twenty-two hundred seventy-seven (2277) of the supplement to said code, relating to education, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend section 4 by adding as paragraphs 1 and 2 the following:

"1. Filing and preserving reports. File and preserve all reports, documents and correspondence that may be of a permanent value, which shall be open for inspection under reasonable conditions by any citizen of the state.

2. Keep a record of the business transacted by him."

Also amend by renumbering the paragraphs of said section to correspond.

Amend paragraph 6 of section 4 by striking out the words "public and private" in line 23 of said section.

Amend paragraph 7 of section 4 by striking out the words "public and private" in line 28 of said section.

Amend section 4 by striking therefrom lines 38, 39, 40, 41 and 42 thereof, being paragraph 9 of said section.

Amend by inserting after the figures "1925" in section 6 the following: "or so much thereof as may be necessary".

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

On the question "Shall the House concur?"

The ayes were:

Anderson of Webster	Graham Grimwood	Miller Moen	Schulte Scott of
Blume	Hansen	Napier	Appanoose
Bradley	Hattendorf	Noble	Scott of Fremont
Brady	Hauge	O'Donnell	Smith of
Brittain	Healy	Oliver	Chickasaw
Buffington	Held	Olson	Smith of Lucas
Carter	Hempel	Ontjes	Stock
Cole	Henderson	Orr	Stookesberry
Criswell	Hollis	Parsons	Storey
Dewar	Johnson	Patterson	Strippel
Dotts	King	Peterson	Venard
Edge	Knutson	Quirk	Wamstad
Edson	Leonard	Rankin	Weber
Fackler	Letts	Rassler	Wilson
Frahm	Lichty	Rewoldt	Wolfe
Gallagher	Long	Rhinehart	Mr. Speaker—74
Gesman	Lovrien	Rust	
Gibson	Mathews	Sampson	
Gilbert	Matthiesen	Schirmer	

The nays were:

Huff Lieberknecht—2

Absent or not voting:

Aiken	Dooley	Harrison	Robson
Berry	Doolittle	Himebauch	Rumley
Blake	Elliott	Lake	Saunders
Children	Forsling	McClune	Slemmons
Clark	Garber of Adair	Natvig	Ulstad
Colbert	Garber of Floyd	Potts	Vincent
Diltz	Gilbertson	Powers	Williams
Donhowe	Gilmore	Ramsey	Yenter—32

The House concurred in the Senate amendments to House File No. 86.

On request of Gibson of Clarke, House File No. 140, a bill for an act to amend, revise, and codify sections thirty-two hundred seventy-eight (3278), thirty-two hundred seventy-nine (3279), thirty-two hundred eighty-three (3283), thirty-two hundred eighty-seven (3287), thirty-two hundred eighty-nine (3289) and thirty-two hundred ninety-three (3293) of the compiled code of Iowa, relating to the support of the poor, with Senate amendments, was taken up and the amendments read and considered.

## SENATE AMENDMENTS

Amend by striking from lines 9 and 10 of section 6 (subsection 2) the following: ", divorce or abandonment of her by the husband" and inserting in lieu thereof "of her husband or if she be divorced or abandoned by him,".

Amend by striking out section 12 of the bill and substituting in lieu thereof:

Sec. 12. Hospital emergency patients.

The authorities of any general hospital who have received an indigent patient, resident in this state, in an emergency caused by accident or by sudden and dangerous sickness, shall have a valid claim against the county of which such patient is a bona fide resident, for the reasonable value of the medical or surgical treatment furnished to such patient for the first week, by giving the notice prescribed in the following section.

Sec. 12-a1. Notice.

Said hospital authorities, within seventy-two hours after said patient has been received, and at an earlier time if reasonably possible, shall notify the county auditor of the county in which the patient resides that such patient has been so received; and, if known to said authorities, the notice shall state where said patient was injured or taken sick and the nature of such injury or sickness, together with his name and post-office address.

Sec. 12-a2. Exception.

Nothing in the two preceding sections shall be construed as preventing the county from making, at any time, arrangements for the care of said patient at a place other than in said receiving hospital.

Mr. Gibson 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:

Anderson of	Dooley	Healy	Matthiesen
Webster	Dotts	Held	Miller
Berry	Edge	Hempel	Moen
Blake	Edson	Henderson	Napier
Blume	Fackler	Hollis	Noble
Bradley	Frahm	Huff	O'Donnell
Brady	Gallagher	Johnson	Oliver
Brittain	Garber of Adair	King	Olson
Buffington	Gesman	Knutson	Ontjes
Carter	Gibson	Leonard	Parsons
Children	Gilbert	Letts	Patterson
Colbert	Graham	Lichty	Peterson
Cole	Grimwood	Lieberknecht	Quirk
Criswell	Hansen	Long	Rankin
Dewar	Hattendorf	Lovrien	Rassler
Donhowe	Hauge	Mathews	Rewoldt

Rhinehart	Scott of	Stock	Weber
Rumley	Appanoose	Stookesberry	Wilson
Rust	Scott of Fremont	Storey	Wolfe
Sampson	Slemmons	Strippel	Mr. Speaker—86
Saunders	Smith of	Ulstad	
Schirmer	Chickasaw	Venard	
Schulte	Smith of Lucas	Wamstad	

## Absent or not voting:

Aiken	Garber of Floyd	McClune	Robson
Clark	Gilbertson	Natvig	Vincent
Diltz	Gilmore	Orr	Williams
Doolittle	Harrison	Potts	Yenter—22
Elliott	Himebauch	Powers	
Forsling	Lake	Ramsey	

The House refused to concur in the Senate amendments to House File No. 140.

## CONSIDERATION OF BILLS

House File No. 202, a bill for an act to amend, revise, and codify sections fifty-three hundred seventy-seven (5377) and fifty-three hundred seventy-eight (5378) of the compiled code of Iowa, relating to corporate shares of stock, with report of committee recommending passage, was taken up for consideration.

Lovrien of Humboldt moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gilbert	McClune	Schulte
Webster	Gilbertson	Mathews	Scott of
Blake	Gilmore	Moen	Appanoose
Blume	Graham	Napier	Scott of Fremont
Bradley	Grimwood	Noble	Slemmons
Brady	Hansen	O'Donnell	Smith of
Brittain	Hattendorf	Oliver	Chickasaw
Buffington	Hauge	Olson	Smith of Lucas
Carter	Healy	Ontjes	Stock
Colbert	Held	Orr	Stookesberry
Cole	Hempel	Parsons	Storey
Criswell	Henderson	Patterson	Strippel
Donhowe	Hollis	Peterson	Ulstad
Dooley	Johnson	Powers	Vincent
Dotts	King	Quirk	Wamstad
Edson	Knutson	Rankin	Weber
Fackler	Leonard	Rewoldt	Wilson
Frahm	Letts	Rumley	Yenter
Gallagher	Lichty	Rust	Mr. Speaker—82
Garber of Adair	Lieberknecht	Sampson	
Gesman	Long	Saunders	
Gibson	Lovrien	Schirmer	

The nays were:

Huff	Rassler	Wolfe—3
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Absent or not voting:

Aiken	Doolittle	Himebauch	Ramsey
Berry	Edge	Lake	Rhinehart
Children	Elliott	Matthiesen	Robson
Clark	Forsling	Miller	Venard
Dewar	Garber of Floyd	Natvig	Williams—23
Diltz	Harrison	Potts	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 99, a bill for an act to amend, revise, and codify sections two thousand four hundred seventy-eight (2478) to two thousand four hundred eighty (2480), inclusive, two thousand four hundred eighty-four (2484), two thousand four hundred eighty-nine (2489), two thousand four hundred ninety (2490), and two thousand five hundred (2500) to two thousand five hundred five (2505), inclusive, of the compiled code of Iowa, and section three thousand two hundred thirty-one-a thirteen (3231-a13) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of January 26th, were taken up and considered.

Weber of Dubuque moved the adoption of the committee amendments.

A division of the amendments was called for.

The committee amendment to section thirteen (13) was rejected.

The following committee amendment to section twenty-nine (29) was adopted:

Amend by striking out all of section twenty-nine (29) and substituting in lieu thereof the following:

"Sec. 29. Expenses of the county superintendent.

The county superintendent shall, on the first Monday of each month, file with the county auditor an itemized and verified statement of his actual and necessary expenses incurred during the previous month in the performance of his official duties within his county, and such expenses shall be allowed by the county board of supervisors and paid out of the county fund, as other expenses of the county, but the total amount so paid,

exclusive of office stationery and postage, for any one year of the superintendent's term shall not exceed the sum of four hundred dollars (\$400.00)."

The following amendments filed by Ontjes of Grundy on January 28th were taken up and considered:

Amend section 3 of Senate File No. 99 as follows:

Amend line three by inserting after the word "districts" the word "and subdistricts".

Amend line four by inserting after the word "each" the words "subdistrict of a".

Amend line five by striking out the words "all the" and inserting the word "each".

Amend by striking out section 4, and in lieu thereof inserting the following:

"Sec. 4. Each city, town, or village independent district and each consolidated district and each rural independent district shall be represented at the convention by the president of the school board, or in his absence or inability to act, by some member of the board to be selected by the board. Each subdistrict shall be represented by the subdirector thereof, who shall be a member of the convention, or in case of his absence or inability to act, by some resident elector of the district appointed by the school township board, but if there are fewer members of the school township board than subdistricts, then the board shall appoint one resident elector of each subdistrict as a representative thereof. When the selections have been made the secretaries of the respective boards shall notify the county auditor, stating the name and postoffice address of the several delegates."

Amend section 5 by striking from lines two (2) and three (3) the words "to the president and secretary of each school corporation" and inserting in lieu thereof the words "to each delegate".

Hauge of Polk moved that further action on Senate File No. 99 be deferred and that the bill be made a special order for Friday, February 1st, at 10:00 a. m.

Motion lost.

Ontjes of Grundy moved the adoption of the amendments filed by him.

On the question "Shall the amendments by Ontjes of Grundy be adopted?" a roll call was demanded.

The ayes were:

Berry  
Blume  
Buffington  
Children

Dooley  
Dotts  
Frahm  
Gesman

Leonard  
Long  
Napier  
Ontjes

Orr  
Parsons  
Smith of Lucas

Scott of Appanoose	Storey Ulstad	Wamstad Wolfe—20
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The nays were:

Anderson of Webster	Gibson Gilbert	Lichty Lieberknecht	Rhinehart Rumley
Blake	Gilbertson	Lovrien	Rust
Bradley	Gilmore	McClune	Sampson
Brady	Graham	Mathews	Saunders
Brittain	Grimwood	Matthiesen	Schirmer
Carter	Hansen	Miller	Schulte
Colbert	Harrison	Moen	Scott of Fremont
Cole	Hattendorf	Noble	Slemmons
Criswell	Hauge	O'Donnell	Smith of Chickasaw
Dewar	Healy	Oliver	Stock
Diltz	Held	Olson	Stokesberry
Donhowe	Hempel	Patterson	Strippel
Edge	Henderson	Peterson	Venard
Edson	Hollis	Potts	Vincent
Elliott	Johnson	Powers	Weber
Fackler	King	Quirk	Wilson
Gallagher	Knutson	Rankin	Yenter
Garber of Adair	Lake	Rassler	Mr. Speaker—78
Garber of Floyd	Letts	Rewoldt	

Absent or not voting:

Aiken	Forsling	Natvig	Williams—10
Clark	Himebauch	Ramsey	
Doolittle	Huff	Robson	

Amendments rejected.

Brittain of Madison offered the following amendments and moved their adoption:

Amend Senate File No. 99 as follows:

Amend section eleven (11), subsection five (5), by placing a period after the word "county" in line thirty-six (36) and striking out the following words "and the board of supervisors shall furnish suitable rooms for all such examinations."

Also, by inserting in line thirty-four (34) following the words "county seat" the following: "in a suitable room provided by the board of supervisors."

Amendments adopted.

Weber of Dubuque moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Adair	Lovrien	Sampson
Anderson of Webster	Garber of Floyd	McClune	Saunders
Berry	Gesman	Mathews	Schirmer
Blake	Gibson	Matthiesen	Schulte
Blume	Gilbertson	Miller	Scott of
Bradley	Gilmore	Moen	Appanoose
Brady	Graham	Napier	Scott of Fremont
Brittain	Grimwood	Noble	Slemmons
Buffington	Harrison	Oliver	Smith of
Carter	Hattendorf	Olson	Chickasaw
Cole	Hauge	Ontjes	Stock
Criswell	Healy	Orr	Storey
Dewar	Held	Parsons	Strippel
Donhowe	Hempel	Patterson	Ulstad
Dotts	Henderson	Peterson	Venard
Edge	Hollis	Potts	Vincent
Edson	Johnson	Powers	Wamstad
Elliott	King	Quirk	Weber
Fackler	Knutson	Rankin	Williams
Forsling	Leonard	Rassler	Wilson
Frahm	Letts	Rewoldt	Wolfe
Gallagher	Lichty	Rhinehart	Yenter
	Lieberknecht	Rust	Mr. Speaker—89

The nays were:

Children	Huff	Stookesberry—5
Dooley	Smith of Lucas	

Absent or not voting:

Clark	Gilbert	Long	Robson
Colbert	Hansen	Natvig	Rumley—14
Diltz	Himebauch	O'Donnell	
Doolittle	Lake	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SPECIAL ORDER NO. 1

House File No. 68, a bill for an act to amend, revise, and codify chapters twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), and nineteen (19), of title eight (VIII) of the compiled code of Iowa and of the supplement to said code, relating to animal industry, with report of committee recommending amendment and passage, was taken up for consideration.

On request of Children of Pottawattamie, unanimous consent having been obtained, action on House File No. 68 was deferred and the bill was made a special order for Friday, February 1st, at 10:00 a. m.

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 108 and 276.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

##### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 108 and 276.

#### CONSIDERATION OF BILLS

Senate File No. 175, a bill for an act to amend, revise, and codify sections four thousand twelve (4012) to four thousand twenty-two (4022), inclusive, of the compiled code of Iowa, relating to municipal corporations, with report of committee recommending passage, was taken up for consideration.

Blake of Fayette moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Forsling	Knutson	Potts
Webster	Frahm	Leonard	Powers
Berry	Gallagher	Letts	Quirk
Blake	Garber of Adair	Lichty	Rankin
Blume	Garber of Floyd	Long	Rassler
Bradley	Gesman	Lovrien	Rewoldt
Brady	Gibson	McClune	Rumley
Brittain	Gilbert	Mathews	Rust
Buffington	Grimwood	Matthiesen	Sampson
Carter	Harrison	Miller	Saunders
Children	Hattendorf	Moen	Schirmer
Cole	Hauge	Napier	Schulte
Criswell	Held	Noble	Scott of
Dewar	Hempel	Oliver	Appanoose
Dooley	Henderson	Olson	Scott of Fremont
Dotts	Hollis	Orr	Slemmons
Edge	Huff	Parsons	Smith of
Elliott	Johnson	Patterson	Chickasaw
Fackler	King	Peterson	Smith of Lucas

Stock	Ulstad	Williams	Mr. Speaker—86
Stookesberry	Venard	Wilson	
Storey	Wamstad	Wolfe	
Strippel	Weber	Yenter	

The nays were, none.

Absent or not voting:

Aiken	Edson	Himebauch	Ramsey
Clark	Gilbertson	Lake	Rhinehart
Colbert	Gilmore	Lieberknecht	Robson
Diltz	Graham	Natvig	Vincent—22
Donhowe	Hansen	O'Donnell	
Doolittle	Healy	Ontjes	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SPECIAL ORDER NO. 2

Substitute for House File No. 54, a bill for an act to amend, revise, and codify chapters fifteen (15) and sixteen (16) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to propagation and protection of fish, game, wild birds, and animals, was taken up for consideration.

On request of Knutson of Cerro Gordo, unanimous consent having been obtained, action was deferred on substitute for House File No. 54 and the bill was made a special order for Wednesday, February 6th, at 10:30 a. m.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Graham of Wapello, House File No. 32, a bill for an act to amend, revise, and codify chapter nineteen (19) of title four (4) of the compiled code of Iowa and of the supplement to said code, and sections two hundred forty-one-a thirty-six (241-a36) and two hundred forty-seven-a one (247-a1) of the supplement to said code, relating to the bonds of public officers, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend the title by striking out the period after the word "officers" in line 5 and inserting a comma, and adding thereto the following: "and to the appointment of a superintendent of printing and of a custodian of public buildings and grounds."

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Garber of Adair	Lieberknecht	Saunders
Webster	Garber of Floyd	Lovrien	Schirmer
Berry	Gesman	McClune	Scott of
Blake	Gibson	Mathews	Appanose
Blume	Gilbertson	Matthiesen	Scott of Fremont
Bradley	Gilmore	Miller	Slemmons
Brady	Graham	Moen	Smith of
Brittain	Grimwood	Napier	Chickasaw
Buffington	Hansen	Noble	Smith of Lucas
Carter	Harrison	O'Donnell	Stock
Children	Hattendorf	Oliver	Stookesberry
Cole	Hauge	Olson	Storey
Criswell	Healy	Ontjes	Strippel
Diltz	Held	Parsons	Ulstad
Donhowe	Hempel	Patterson	Venard
Dooley	Henderson	Peterson	Weber
Dotts	Hollis	Potts	Williams
Edge	Huff	Powers	Wilson
Edson	Johnson	Quirk	Wolfe
Elliott	King	Rankin	Yenter
Fackler	Knutson	Rassler	Mr. Speaker—90
Forsling	Lake	Rewoldt	
Frahm	Letts	Rumley	
Gallagher	Lichty	Rust	

The nays were, none.

Absent or not voting:

Aiken	Gilbert	Orr	Schulte
Clark	Himebauch	Ramsey	Vincent
Colbert	Leonard	Rhinehart	Wamstad—18
Dewar	Long	Robson	
Doolittle	Natvig	Sampson	

The House concurred in the Senate amendments to House File No. 32.

#### CONSIDERATION OF BILLS

Senate File No. 187, a bill for an act to amend, revise, and codify sections forty-nine hundred fifty-nine (4959) to forty-nine hundred sixty-one (4961), inclusive, forty-nine hundred sixty-three (4963) to forty-nine hundred sixty-five (4965), inclusive, forty-nine hundred sixty-seven (4967), forty-nine hundred sixty-eight (4968), forty-nine hundred seventy-one (4971) to forty-nine hundred seventy-five (4975), inclusive, forty-nine hundred seventy-seven (4977) to forty-nine hundred eighty-one (4981),

inclusive, forty-nine hundred eighty-three (4983) to fifty hundred one (5001), inclusive, fifty hundred eight (5008), and fifty hundred eleven (5011) of the compiled code of Iowa and sections forty-nine hundred fifty-nine-a one (4959-a1), forty-nine hundred sixty-eight-a one (4968-a1), and forty-nine hundred seventy-a one (4970-a1) of the supplement to said code, relating to the condemnation of private property for works of internal improvement and for other public uses and purposes, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Lovrien of Humboldt the amendments proposed by the committee, found in the Journal of January 26th, were adopted.

Johnson of Dickinson offered the following amendment and moved its adoption:

Amend Senate File No. 187 by striking from line twenty-three (23) in subsection four (4) of section four (4) the words "public road" and inserting in lieu thereof the words "public way".

Amendment adopted.

Children of Pottawattamie moved that further action on Senate File No. 187 be deferred. Motion prevailed.

House File No. 188, a bill for an act to amend, revise, and codify sections fifty hundred fourteen (5014) to fifty hundred sixteen (5016), inclusive, fifty hundred eighteen (5018), fifty hundred twenty-two (5022), fifty hundred twenty-four (5024) to fifty hundred twenty-six (5026), inclusive, fifty-one hundred eighty-six (5186), fifty-one hundred eighty-eight (5188) to fifty-one hundred ninety-two (5192), inclusive, fifty-two hundred four (5204) and fifty-two hundred six (5206) of the compiled code of Iowa, and section fifty hundred forty-four (5044) of the supplement to said code, relating to the board of railroad commissioners, their jurisdiction and duties, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Rankin of Lee the amendments proposed by the committee, found in the Journal of January 28th, were adopted.

Mr. Rankin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gesman	McClune	Schirmer
Anderson of	Gilbert	Mathews	Schulte
Webster	Gilmore	Matthiesen	Scott of
Blake	Graham	Miller	Appanoose
Bradley	Grimwood	Moen	Scott of Fremont
Brady	Hansen	Napier	Slemmons
Brittain	Harrison	Noble	Smith of
Buffington	Hattendorf	O'Donnell	Chickasaw
Children	Hauge	Oliver	Smith of Lucas
Clark	Healy	Olson	Stock
Colbert	Held	Ontjes	Stookesberry
Cole	Hempel	Orr	Storey
Criswell	Henderson	Parsons	Strippel
Dewar	Hollis	Patterson	Venard
Diltz	Huff	Peterson	Vincent
Donhowe	Johnson	Potts	Wamstad
Dooley	King	Powers	Weber
Dotts	Knutson	Quirk	Williams
Edge	Lake	Rankin	Wilson
Edson	Leonard	Rassler	Wolfe
Elliott	Letts	Rewoldt	Yenter
Fackler	Lichty	Rhinehart	Mr. Speaker—94
Forsling	Lieberknecht	Rumley	
Gallagher	Long	Rust	
Garber of Adair	Lovrien	Saunders	

The nays were, none.

Absent or not voting:

Berry	Frahm	Himebauch	Sampson
Blume	Garber of Floyd	Natvig	Ulstad—14
Carter	Gibson	Ramsey	
Doolittle	Gilbertson	Robson	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 195, a bill for an act to amend, revise, and codify section fifty hundred ninety-two (5092) of the compiled code of Iowa, and sections fifty-two hundred forty-one (5241) and fifty-two hundred forty-one-a one (5241-a1) of the supplement to said code, relating to steam and interurban railway crossings at grade and the duty of employees, with report of committee recommending passage, was taken up for consideration.

Rankin of Lee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gesman	Lovrien	Saunders
Anderson of Webster	Gibson	McClune	Schirmer
Blake	Gilbert	Mathews	Schulte
Blume	Gilbertson	Matthiesen	Scott of Appanoose
Bradley	Gilmore	Miller	Scott of Fremont
Brady	Graham	Moen	Slemmons
Brittain	Grimwood	Napier	Smith of Chickasaw
Buffington	Hansen	Noble	Smith of Lucas
Carter	Hattendorf	O'Donnell	Stock
Children	Hauge	Oliver	Stookesberry
Clark	Healy	Olson	Storey
Colbert	Held	Ontjes	Strippel
Cole	Hempel	Orr	Venard
Criswell	Henderson	Parsons	Vincent
Dewar	Hollis	Patterson	Weber
Diltz	Hufl	Peterson	Williams
Donhowe	Johnson	Powers	Wilson
Dooley	King	Quirk	Wolfe
Dotts	Knutson	Rankin	Yenter
Edson	Lake	Rassler	Mr. Speaker—94
Elliott	Leonard	Rewoldt	
Fackler	Letts	Rhinehart	
Frahm	Lichty	Rumley	
Gallagher	Lieberknecht	Rust	
	Long	Sampson	

The nays were, none.

Absent or not voting:

Berry	Garber of Adair	Natvig	Ulstad
Doolittle	Garber of Floyd	Potts	Wamstad—14
Edge	Harrison	Ramsey	
Forsling	Himebauch	Robson	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 292, a bill for an act to legalize the action of the board of directors, of the school township of Elkhorn, Plymouth county, Iowa, in the transfer of certain funds from the general fund to the schoolhouse fund of said school township, with report of committee recommending passage, was taken up for consideration.

Held of Plymouth moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Berry	Bradley	Buffington
Anderson of Webster	Blake	Brady	Carter
	Blume	Brittain	Colbert

Cole	Grimwood	Long	Scott of
Criswell	Hansen	Lovrien	Appanoose
Diltz	Hattendorf	Mathews	Scott of Fremont
Donhowe	Hauge	Moen	Smith of
Dooley	Healy	Napier	Chickasaw
Dotts	Held	Parsons	Smith of Lucas
Edge	Hempel	Patterson	Stock
Edson	Henderson	Peterson	Stookesberry
Elliott	Hollis	Powers	Storey
Fackler	Huff	Quirk	Venard
Forsling	Johnson	Rewoldt	Vincent
Gallagher	King	Rhinehart	Wamstad
Gesman	Knutson	Rumley	Weber
Gibson	Lake	Rust	Wilson
Gilbert	Leonard	Sampson	Wolfe
Gilbertson	Letts	Saunders	Yenter
Gilmore	Lichty	Schirmer	Mr. Speaker—80
Graham	Lieberknecht	Schulte	

The nays were:

Miller—1

Absent or not voting:

Children	Harrison	Oliver	Rassler
Clark	Himebauch	Olson	Robson
Dewar	McClune	Ontjes	Stemmons
Doolittle	Matthiesen	Orr	Strippel
Frahm	Natvig	Potts	Ulstad
Garber of Adair	Noble	Ramsey	Williams—27
Garber of Floyd	O'Donnell	Rankin	

So the bill having received a constitutional majority was declared to have passed the House 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. 55, a bill for an act to amend, revise, and codify the law relating to the state board of conservation and state parks.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 205, a bill for an act to amend, revise, and codify the law relating to the insurance department.

Also, that the Senate insists on its amendments to House File No. 158, a bill for an act relating to municipal corporations, and requests the appointment of a conference committee. As a conference committee on the part of the Senate, the President has appointed Senators Fulton, Shane, Shaff and Wichman.

Also, that the Senate requests the return of the following bill:

House File No. 246, a bill for an act to amend, revise, and codify the

law relating to procedure in the supreme court, and of qualifications for admission to the bar.

L. W. AINSWORTH, *Secretary.*

#### SENATE MESSAGES CONSIDERED

Senate File No. 55, a bill for an act to amend, revise, and codify sections eleven hundred seventy-nine (1179) to eleven hundred eighty-two (1182), inclusive, of the compiled code of Iowa, and section eleven hundred seventy-seven-a nine (1177-a9) of the supplement to said code, relating to the state board of conservation and state parks.

Read first and second times and referred to committee on conservation of resources.

Senate File No. 205, a bill for an act to amend, revise, and codify section five thousand four hundred sixty-one (5461) of the compiled code of Iowa, and sections five thousand four hundred sixty (5460) and five thousand four hundred sixty-two (5462) of the supplement to said code, relating to the insurance department.

Read first and second times and referred to committee on insurance.

#### MOTION TO RECONSIDER CALLED UP

Lake of Woodbury called up the motion filed by him on January 28th to reconsider the vote by which the House concurred in the Senate amendment to House File No. 246.

The question being put, the motion to reconsider was lost.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 30th day of January, 1924, sent to the governor for his approval:

House Files Nos. 108 and 276.

C. F. LETTS, *Chairman.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the

House, he had signed in the presence of the House, the following bill: Senate File No. 241.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE FILE.  
NO. 158

As a conference committee on House File No. 158, the Speaker appointed the following members on the part of the House:

O'Donnell of Dubuque, Elliott of Scott, Harrison of Pottwattamie and Schirmer of Jackson.

AMENDMENTS FILED

Blake of Fayette filed the following amendment to House File No. 117:

Amend the amendment filed by Wamstad of Mitchell, on December 18th, as a substitute for the amendment filed by Doolittle of Delaware on December 17th, by adding after the word "third" in line one (1) thereof the following: "or the third appraiser so selected shall fail to serve."

Parsons of Calhoun filed the following amendments to substitute for House File No. 54:

Amend substitute for House File No. 54 by striking out of section fourteen (14), line two (2), the words "wild animal" and the comma (.). Also by striking out of line three (3) the words "or trap fur-bearing animals or game."

Blume of Crawford filed the following amendments to substitute for House File No. 54:

Amend section 59 of substitute for House File No. 54 by striking therefrom the comma after the word "bird" in line eight (8); also strike out of lines eight (8), nine (9) and ten (10) the words "except that in hunting wild duck and geese, decoys may be used and artificial ambushes erected and used on land".

Amend section 65 of substitute for House File No. 54 by inserting after the comma after the word "blackbird" in line four the words "blue jay", followed by a comma.

Further amend said section 65, line six (6), by striking therefrom the words and comma "gull or tern,".

On motion of Strippel of Benton the House adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 31, 1924.

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

Prayer was offered by the Rev. A. P. Blough, president of the Waterloo Ministerial Association, Waterloo, Iowa.

Journal of January 30th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Lovrien of Humboldt indefinitely, on request of Rankin of Lee; Robson of Greene for the day, on request of Mathews of Des Moines; Dewar of Cherokee for the day, on request of Williams of Montgomery.

## PETITIONS

Patterson of Kossuth presented a petition from citizens of Whittemore, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Mathews of Des Moines presented a resolution from Des Moines County Medical Society, favoring the passage without amendment of the portion of House File No. 283 dealing with permits to licensed pharmacists. Referred to committee on suppression of intemperance.

Noble of Muscatine presented a resolution from the Muscatine Ministerial Association, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Edson of Buena Vista presented a petition from citizens of Storm Lake, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Gesman of Marion presented a petition from Marion County Medical Society, urging the passage of House File No. 283 without amendments. Referred to committee on suppression of intemperance.

#### PRINTING OF BILLS ON CALENDAR

Moen of Lyon moved that the chief clerk be authorized to discontinue printing odd-numbered House bills on the calendar until such time as the House sees fit to consider said bills.

Motion prevailed.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on January 30th, approved the following bills: House Files Nos. 276 and 108.

#### REPORT OF COMMITTEE

Hauge of Polk, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred House File No. 65, a bill for an act to amend, revise, and codify sections nine hundred seven (907), fourteen hundred forty (1440), fourteen hundred forty-three (1443), fourteen hundred fifty-two (1452), fourteen hundred sixty-nine (1469), fourteen hundred seventy-two (1472), fourteen hundred eighty-one (1481), fifteen hundred thirty-six (1536), fifteen hundred ninety-two (1592), sixteen hundred thirteen (1613), sixteen hundred seventeen (1617), sixteen hundred twenty-six (1626), sixteen hundred twenty-seven (1627), and sixteen hundred ninety-nine (1699) of the compiled code of Iowa and sections eight hundred ninety-nine (899), nine hundred three (903), fourteen hundred forty-two (1442), fifteen hundred thirty-two-a fifteen (1532-a15), sixteen hundred thirty-one-a one (1631-a1) to sixteen hundred thirty-one-a fifteen (1631-a15), inclusive, and sixteen hundred fifty-three-a one (1653-a1) to sixteen hundred fifty-three-a seven (1653-a7), inclusive, of the supplement to said code, relating to the department of agriculture and fruit-tree and forest reservations, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended, that the bill do pass:

Amend the amendment offered by the committee on agriculture to section eighteen (18), by adding after the words "for the biennium" in the last line thereof the words and figures "ending June thirtieth, nineteen hundred twenty-five (1925)".

Further amend House File No. 65 by adding thereto, immediately after section twenty (20), the following:

"That section seventeen hundred eleven (1711) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:  
Sec. 21. Duty of county auditor.

It shall be the duty of the county auditor in every county to keep a record of all forest and fruit-tree reservations within his county; and to make a report of the same to the department of agriculture on or before June fifteenth of each year."

Amend the title by striking out the last four lines thereof and inserting in lieu thereof the following: "sixteen hundred fifty-three-a one (1653-a1) to sixteen hundred fifty-three-a seven (1653-a7), inclusive, and seventeen hundred eleven (1711) of the supplement to said code, relating to the department of agriculture and fruit-tree and forest reservations."

A. O. HAUGE, *Chairman.*

Report adopted.

#### INTRODUCTION OF BILL

House File No. 68-A, by committee on animal industry, a bill for an act to repeal section ten (10) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly, as amended by chapter forty-four (44), acts of the thirty-ninth (39) general assembly, and by section one (1) of chapter forty-nine (49), acts of the fortieth (40) general assembly; section eleven (11) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly, as amended by chapter one hundred ninety-four (194), acts of the thirty-ninth (39) general assembly; sections twelve (12) and thirteen (13) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly; section three (3) of chapter one hundred sixty-nine (169), acts of the thirty-ninth (39) general assembly; chapter forty-eight (48), acts of the fortieth (40) general assembly; and section two (2), chapter forty-nine (49), acts of the fortieth (40) general assembly, relating to the eradication of bovine tuberculosis, and to enact a substitute therefor.

Read first and second times and passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 10, 174, 270, 160, 176 and 246.

Senate Files Nos. 31, 47, 105, 109, 273 and 289.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report 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. 166, a bill for an act to amend, revise, and codify the law relating to maintenance of a hospital by municipal corporations.

Also, 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 to amend, revise, and codify the law relating to adoption, and master and apprentice.

Also, that the Senate insists on its amendments to House File No. 140, a bill for an act to amend, revise, and codify the law relating to the support of the poor, and requests a conference committee. The President has appointed as a conference committee on the part of the Senate, Senators Tuck, Goodwin, Dutcher and Brookhart.

Also, that the Senate refuses to concur in the House amendments to the following bill:

Senate File No. 153, a bill for an act to amend, revise, and codify the law relating to the incorporation of municipal corporations.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 221, a bill for an act to amend, revise, and codify the law relating to superior courts.

L. W. AINSWORTH, *Secretary.*

#### SENATE AMENDMENT TO HOUSE FILE NO. 221

Amend by inserting the word "the" after the word "following" in line 2 of section 2.

#### CONSIDERATION OF BILLS

Senate File No. 23, a bill for an act to amend, revise, and codify chapter four (4) of title four (4) of the compiled code of Iowa, relating to the nomination and election of judges of the supreme, district, and superior courts, with report of committee recommending passage, was taken up for consideration.

Brady of O'Brien moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gibson	Mathews	Saunders
Anderson of Webster	Gilbertson	Matthiesen	Schirmer
Blake	Gilmore	Miller	Schulte
Blume	Graham	Moen	Scott of Appanoose
Bradley	Grimwood	Napier	Scott of Fremont
Brady	Hansen	Natvig	Slemmons
Brittain	Harrison	Noble	Smith of Chickasaw
Brittain	Hattendorf	O'Donnell	Smith of Lucas
Buffington	Hauge	Oliver	Stock
Carter	Healy	Olson	Stookesberry
Children	Held	Ontjes	Storey
Colbert	Hempel	Orr	Strippel
Cole	Henderson	Parsons	Ustad
Criswell	Hollis	Patterson	Venard
Dooley	Huff	Peterson	Vincent
Doolittle	Johnson	Potts	Wamstad
Dotts	King	Powers	Weber
Edge	Knutson	Quirk	Williams
Elliott	Lake	Ramsey	Wilson
Fackler	Leonard	Rassler	Wolfe
Forsling	Letts	Rewoldt	Mr. Speaker—95
Frahm	Lichty	Rhinehart	
Gallagher	Lieberknecht	Rumley	
Garber of Adair	Long	Rust	
Gesman	McClune	Sampson	

The nays were, none.

Absent or not voting:

Berry	Donhowe	Himebauch	Yenter—13
Clark	Edson	Lovrien	
Dewar	Garber of Floyd	Rankin	
Diltz	Gilbert	Robson	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SPECIAL ORDER NO. 4

House File No. 71, a bill for an act to amend, revise, and codify chapter twenty-two (22) of title eight (8) and sections thirty-one hundred forty-two (3142) and thirty-one hundred forty-three (3143) of the compiled code of Iowa, and sections thirty-one hundred thirty-nine-a one (3139-a1) to thirty-one hundred thirty-nine-a three (3139-a3), inclusive, thirty-one hundred thirty-nine-a three-a (3139-a3a), thirty-one hundred thirty-nine-a four

(3139-a4) to thirty-one hundred thirty-nine-a fourteen (3139-a14), inclusive, and thirty-one hundred forty (3140) of the supplement to said code, relating to neglected, disabled, and abandoned animals, animals running at large, estrays, dogs and the responsibility therefor, the licensing of dogs, the rights and duties resulting from such licensing or failure to license, and the payment of claims for damages done by dogs and wolves, with report of committee on January 23d recommending amendment and passage, was taken up for consideration.

The following amendment filed by Brittain of Madison to the committee amendments was taken up and considered:

Amend the committee amendments to House File No. 71, found on page 449 of the Journal of January 23d, as follows:

Amend the committee amendment to section one (1) by striking out the comma (,) after the word "mules" and inserting in lieu thereof the word "and"; and by adding a period (.) after the word "asses" and striking the words "or other domestic animals".

On motion of Mr. Brittain the amendment to the committee amendments was adopted.

Forsling of Woodbury offered the following amendment to the committee amendments and moved its adoption:

Amend the committee amendment to section seven (7) by striking out the word "reasonable" between the words "the" and "care".

Amendment rejected.

On motion of Children of Pottawattamie the committee amendments found in the Journal of January 23d, as amended, were adopted.

Mr. Children offered the following amendment and moved its adoption:

Amend House File No. 71, section sixty-two (62), line one (1), by inserting between the figures "(15th)" and the word "following" the words "of the year".

Amendment adopted.

By unanimous consent the amendment filed by Parsons of Calhoun on December 14th was withdrawn.

By unanimous consent the amendments filed by Oliver of Monona on December 17th were withdrawn.

By unanimous consent the amendments filed by McClune of Mahaska on December 18th were withdrawn.

By unanimous consent the amendments filed by Parsons of Calhoun on January 7th were withdrawn.

Children of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Adair	Long	Sampson
Anderson of Webster	Garber of Floyd	McClune	Saunders
Berry	Gesman	Mathews	Schirmer
Blake	Gibson	Matthiesen	Schulte
Blume	Gilbert	Miller	Scott of Appanoose
Bradley	Gilbertson	Moen	Scott of Fremont
Brady	Gilmore	Napier	Slemmons
Brittain	Graham	Natvig	Smith of Chickasaw
Buffington	Grimwood	Noble	Smith of Lucas
Carter	Hansen	O'Donnell	Stock
Children	Harrison	Oliver	Stookesberry
Colbert	Hattendorf	Olson	Storey
Cole	Hauge	Ontjes	Strippel
Criswell	Healy	Orr	Venard
Diltz	Held	Parsons	Vincent
Donhowe	Hempel	Patterson	Wamstad
Dooley	Henderson	Peterson	Weber
Doolittle	Hollis	Powers	Williams
Dotts	Huff	Quirk	Wilson
Edge	Johnson	Ramsey	Wolfe
Elliott	King	Rankin	Mr. Speaker—98
Fackler	Knutson	Rassler	
Forsling	Leonard	Rewoldt	
Frahm	Letts	Rhinehart	
Gallagher	Lichty	Rumley	
	Lieberknecht	Rust	

The nays were, none.

Absent or not voting:

Clark	Himebauch	Potts	Yenter—10
Dewar	Lake	Robson	
Edson	Lovrien	Ulstad	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 29, a bill for an act to amend, revise, and codify chapter eleven (11) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the making of statements of expense by candidates for office, with report of

committee recommending passage, was taken up for consideration.

Graham of Wapello moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Lichty	Sampson
Anderson of Webster	Frahm	Lieberknecht	Saunders
Berry	Gallagher	Long	Schirmer
Blake	Garber of Adair	McClune	Schulte
Blume	Garber of Floyd	Mathews	Scott of Appanoose
Bradley	Gesman	Miller	Scott of Fremont
Brady	Gibson	Moen	Slemmons
Brittain	Gilbert	Napier	Smith of Chickasaw
Buffington	Gilmore	Natvig	Smith of Lucas
Carter	Graham	Noble	Stock
Children	Grimwood	O'Donnell	Stookesberry
Clark	Hansen	Olson	Storey
Colbert	Harrison	Ontjes	Strippel
Cole	Hattendorf	Orr	Venard
Diltz	Healy	Parsons	Wamstad
Donhowe	Held	Peterson	Weber
Dooley	Hempel	Powers	Williams
Doolittle	Henderson	Quirk	Wilson
Dotts	Hollis	Ramsey	Wolfe
Edge	Huff	Rankin	Mr. Speaker—91
Edson	Johnson	Rewoldt	
Elliott	King	Rhinehart	
Fackler	Knutson	Rumley	
	Leonard	Rust	

The nays were:

Oliver                      Patterson—2

Absent or not voting:

Criswell	Himebauch	Matthlesen	Ulstad
Dewar	Lake	Potts	Vincent
Gilbertson	Letts	Rassler	Yenter—15
Hauge	Lovrien	Robson	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 275, a bill for an act to amend, revise, and codify chapter twenty-five-A (25-A) of title four (4) of the supplement to the compiled code of Iowa, relating to the sale of public bonds, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Ontjes of Grundy the amendments proposed by the committee, found in the Journal of January 29th, were adopted.

Mr. Ontjes moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lieberknecht	Rust
Anderson of Webster	Garber of Adair	Long	Sampson
Berry	Garber of Floyd	Mathews	Saunders
Blake	Gesman	Matthiesen	Schirmer
Blume	Gibson	Miller	Schulte
Bradley	Gilbert	Moen	Scott of Appanoose
Brady	Gilbertson	Napier	Scott of Fremont
Brittain	Gilmore	Natvig	Slemmons
Buffington	Graham	Noble	Smith of Chickasaw
Carter	Grimwood	O'Donnell	Smith of Lucas
Children	Hansen	Oliver	Stock
Clark	Harrison	Olson	Stookesberry
Colbert	Hattendorf	Ontjes	Storey
Cole	Hauge	Orr	Strippel
Criswell	Healy	Parsons	Ulstad
Diltz	Held	Patterson	Venard
Dooley	Henderson	Peterson	Wamstad
Doolittle	Hollis	Potts	Weber
Dotts	Huff	Powers	Williams
Edge	Johnson	Quirk	Wilson
Edson	King	Ramsey	Yenter
Fackler	Knutson	Rassler	Mr. Speaker—96
Forsling	Lake	Rewoldt	
Frahm	Letts	Rhinehart	
	Lichty	Rumley	

The nays were, none.

Absent or not voting:

Dewar	Hempel	Lovrien	Robson
Donhowe	Himebauch	McClune	Vincent
Elliott	Leonard	Rankin	Wolfe—12

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE INSISTS UPON AMENDMENTS

Forsling of Woodbury moved that the House insist upon its amendments to Senate File No. 153.

Motion prevailed.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House he had signed in the presence of the House, the following bills: House Files Nos. 160, 176, 246, 10, 174 and 270; Senate Files Nos. 31, 47, 105, 109, 273 and 289.

## 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. 117, a bill for an act to amend, revise, and codify the law relating to the establishment, vacation, and alteration of highways, to the erection and maintenance of bridges, and to the condemnation, establishment, and improvement of primary roads in cities and towns.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 123, a bill for an act to amend, revise, and codify the law relating to the township road system, the repair and improvement of the same, and the duties of the officers having jurisdiction thereover.

Also, 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, revise, and codify the law relating to the state highway commission and other officers charged with duties relating to highways.

L. W. AINSWORTH, *Secretary*.

## SENATE MESSAGES CONSIDERED

Senate File No. 117, a bill for an act to amend, revise, and codify sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred sixteen (2816), twenty-eight hundred twenty-six (2826) to twenty-eight hundred thirty-four (2834), inclusive, and section twenty-nine hundred forty-three (2943) of the compiled code of Iowa and of the supplement to said code, relating to the establishment, vacation, and alteration of highways, to the erection and maintenance of bridges, and to the condemnation, establishment, and improvement of primary roads in cities and towns.

Read first and second times and referred to committee on roads and highways.

Senate File No. 119, a bill for an act to amend, revise, and codify chapter three (3) of title eleven (11) of the compiled

code of Iowa, relating to the state highway commission and other officers charged with duties relating to highways.

Read first and second times and referred to committee on roads and highways.

Senate File No. 123, a bill for an act to amend, revise, and codify chapter nine (9) of title eleven (11) and section twenty-nine hundred sixty-two (2962) of the compiled code of Iowa, relating to the township road system, the repair and improvement of the same, and the duties of the officers having jurisdiction thereover.

Read first and second times and referred to committee on roads and highways.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this thirtieth day of January, 1924, sent to the Governor for his approval:

House Files Nos. 10, 174, 270, 160, 176 and 246.

C. F. LETTS, *Chairman.*

Report adopted.

#### RESOLUTION

Gallagher of Iowa offered the following resolution:

*Whereas*, it is a notorious fact that legislative bodies, both state and national, responding to suggestions, urgings, promptings and demands from their respective electorates, are rapidly falling into disrepute, disfavor, and disrespect through their disposition or willingness to "pass laws" on every known subject, from the nursing of babies to the regulation of personal tastes, habits, preferences and predilections; and,

*Whereas*, out of the harsh criticisms, unstinted lampoonings and ridicule directed against legislative bodies, has grown, is still growing, and with menacing speed a glaring lack of respect for all laws, and the right order such laws connote or imply; and

*Whereas*, this lack of respect for laws necessarily extends to and involves the courts and judiciary, the custodians and interpreters of the laws; therefore

*Be It Resolved by the House of Representatives (extra session) of the Fortieth General Assembly of Iowa*, that it is the sense of this body that a profusion of laws, followed by regularly recurrent waves of more laws, is at once both foolish and futile, and tends to increase, rather than diminish, the evils and inequities against which a torrent of legislation is

being directed. But this declaration, or confession declarative, does not imply that a diminution in the grist from the law mills would result in an increasing respect for law or a recedence of the wave of crime that is now engulfing the criminal courts of the country and filling the penal institutions with the flotsam or wreckage gathered in from social highways improperly guarded by sane and moral markings. The only merited blame here that attaches to legislative assemblies is in the presumption that the lack, in whole or in part, of proper home training may be compensated for by constantly adding to the statutes regulatory and restrictive extensions. The threatened break-down in a long line of such efforts is proof positive of the utter futility of attempting to legislate the dictates of moral ethics and the promptings of righteousness into the hearts of the sons of the children of men. Therefore, be it again

*Resolved*, that there can be no lasting moral or social betterment until the home and church act in concert to accomplish this end. The moral element is involved in every human thought, word and act, the trinity that constitutes the source of all our joy and happiness, all our remorse and regret, the product being contingent upon the election of the will, and this election is entirely dependent upon the character formed by parental and spiritual guidance and instruction. Feeling that the position hereinbefore expressed is invulnerable, unassailable, this body makes an ardent and earnest plea to parents and guardians of Iowa to join with their respective spiritual organizations in the only reform movement that can remedy the evils that now threaten to swamp society in a common ruin. The Christian home is the greatest legislative body in the world; as a school, it transcends in primary importance every educational agency to which we gladly contribute our countless millions. Once arouse it to a full sense of its responsibilities, obligations, and potentialities, and the prime bulwark of civilization has been reared anew, and the frantic appeals for more statutory laws will subside in that rational and right-ordered peace that can flow only from homes that properly function.

Laid over under rule 34.

#### APPOINTMENT OF CONFERENCE COMMITTEES

As a conference committee on House File No. 140, the Speaker appointed the following members on the part of the House: Colbert of Union, Clark of Linn, Children of Pottawattamie and Powers of Page.

As a conference committee on Senate File No. 153, the Speaker appointed the following members on the part of the House: Diltz of Polk, Graham of Wapello, Blake of Fayette and Noble of Muscatine.

#### AMENDMENTS FILED

Williams of Montgomery filed the following amendments to House File No. 68:

Amend House File No. 68 as follows:

1. Amend the title, line 4, by inserting after the comma (,) the following: "and House File sixty-eight-a (68-a) of the special session of the fortieth general assembly".

2. Amend the sub-enacting clause immediately preceding chapter three (3), by inserting after the word "code" in line 4, the following: "and House File sixty-eight-a (68-a) of the special session of the fortieth general assembly".

3. Section 48, lines 1 and 2, strike out the words "and directed".

4. Strike out the words "county area eradication plan" immediately preceding section 66 and insert in lieu the words "County area eradication plan and accredited area plan."

5. Section 70, line 5, strike out the word "for" at the end of said line and insert in lieu the words "as a substitute for either or both such funds for".

Section 70, line 7, immediately after the period (.) add the following: "Immediately upon the exhaustion of such allotment the department shall certify such facts to the county auditor, which certificate shall be full authority for the board of supervisors to pay claims out of the county eradication fund."

6. Section 73, lines 4 and 7, strike out the words "as an" where same appear in said lines and insert in lieu the words "under the".

Also amend said section 73, lines 4 and 7, by inserting after the word "area" the word "plan".

7. Section 74. Amend committee amendment to section 74 by striking out the words "as an" where they appear in line 2 and inserting in lieu thereof the words "under the"; also, after the word "area" in line 2 insert the word "plan"; also, strike out the words "the preceding section" where same appear in line 2 of section 74 and insert in lieu the words "this chapter".

8. Section 75, line 3, strike out the word "two" and insert in lieu the word "four".

Amend section one (1) by striking the period (.) in line four (4) and insert a semi-colon and adding the following: "provided, however, that no stallion entitled, under the provisions of section eighteen hundred eleven (1811) of the compiled code, to a permanent state certificate of soundness shall be denied renewal."

Amend committee amendment by reinserting section four (4) and amend by inserting in line one (1) between the words "exchange" and "any" the following: "for public service".

Amend committee amendment No. 7, line 6, by striking out the word "act" and inserting in lieu the word "chapter".

Amend committee amendment No. 8 by striking out the word "act" in line 1 of section 27-a1 and inserting the word "chapter".

Amend committee amendment No. 33 by striking out the words "The faithful compliance" where same appears in line one of sub-section one and inserting in lieu thereof the following:

"1. To faithfully comply".

Amend committee amendment No. 33 by inserting immediately preceding the word "To" in line 1 of subsection 2 the figure "2."

Amend committee amendment No. 37 by inserting preceding the word "In" in line 1 of subsection 3 the figure "3."

Strike out committee amendment No. 43 and insert in lieu the following:

Amend section 99 by striking out the word "such" where same appears in line 3 and insert in lieu the words "hog cholera".

Strike out committee amendment 44, section 100, and insert the following:

"Immediately after section 100 insert the following:

Sec. 100-a1. Transmittal and refund of fees.

The names of the successful and unsuccessful applicants for a permit from each county shall also be certified by the extension division to the county agent of their respective counties. In the event there is no county agent, such certification shall be made to the persons appointed by the board of supervisors to receive the applications and fees for instruction. Upon receipt of such list the county agent, or the person in possession of such fees, shall forthwith forward the fees received from the successful applications to the extension division and refund the fee received from each unsuccessful applicant to him."

8. Amend committee amendment No. 66, line 4, by striking out the word "He" and inserting in lieu the words "Each member of the board".

9. Amend the committee amendments by striking out all of amendment No. 73.

On motion of Gallagher of Iowa the House adjourned until 9:30 a. m. Friday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 1, 1924.

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

Prayer was offered by Edwin Hignett of the Disciples of Christ, Laurens, Iowa.

Journal of January 31st corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Rumley of Decatur until February 11th, on request of Doolittle of Delaware; Yenter of Johnson indefinitely, on request of Ramsey of Butler; O'Donnell of Dubuque for the remainder of the week, on request of Weber of Dubuque; Brady of O'Brien indefinitely, on request of Aiken of Ida; Letts of Washington for the day, on request of Patterson of Kossuth; Orr of Keokuk for the remainder of the week, on request of Smith of Lucas; Slemmons of Buchanan for the remainder of the week, on request of Quirk of Sac.

## PETITIONS

Brady of O'Brien presented a petition from citizens of O'Brien county, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Hempel of Clayton presented petitions from physicians of Elkader, protesting against amendment of the law relative to prescribing liquors by physicians. Referred to committee on suppression of intemperance.

Strippel of Benton presented a petition from citizens of Benton county, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Hauge of Polk presented a petition from citizens of Valley Junction, protesting against the bill relating to county assessors. Referred to committee on county and township organization.

#### REPORT OF COMMITTEE

Forsling 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. 168, a bill for an act to amend, revise, and codify sections three thousand eight hundred eleven (3811), three thousand eight hundred twenty-five (3825), three thousand eight hundred thirty-six (3836), three thousand eight hundred forty (3840) to three thousand eight hundred forty-three (3843), inclusive, three thousand eight hundred forty-five (3845), and three thousand eight hundred forty-six (3846) of the compiled code of Iowa, and section three thousand eight hundred eight (3808) of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

Amend section four (4), line three (3), by striking out of line three (3) the words "in the preceding section" and inserting in lieu thereof the following: "in section thirty-eight hundred twenty-four (3824) of the compiled code".

Also amend section four (4) by striking out the word "ward" in line 9 and inserting in lieu thereof the words "voting precinct", and by striking out of line 9 the words "which is so divided".

Also amend section four (4) by changing the semicolon (;) after the word "town" in line 10 to a period (.) and striking out the balance of the sentence.

Amend section 5 by striking out all of said section down to and including the word "county" in line 8 and inserting in lieu thereof the following: "Notice of such election shall be given by publication once each week for four (4) consecutive weeks in some newspaper published in the city or town, or if none be published therein, in a newspaper published in the county and of general circulation in the city or town. The election shall be held on a date not less than five nor more than twenty days after the last publication of said notice."

Amend section 7 by striking from line 3 the words "and be dealt with in a similar manner" and inserting in lieu thereof the following: "and the same procedure shall apply thereto".

L. B. FORSLING, *Chairman.*

Report adopted.

## CONSIDERATION OF SENATE AMENDMENT

On request of Clark of Linn, House File No. 221, a bill for an act to amend, revise, and codify sections six thousand nine hundred eight (6908), six thousand nine hundred eleven (6911) and six thousand nine hundred thirty-four (6934) of the compiled code of Iowa, relating to superior courts, with Senate amendment, was taken up and the amendment read and considered.

## SENATE AMENDMENT

Amend by inserting the word "the" after the word "following" in line 2 of section 2.

Mr. Clark moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were:

Aiken	Garber of Adair	Long	Saunders
Anderson of	Gesman	McClune	Schirmer
Webster	Gibson	Mathews	Schulte
Blake	Gilbert	Moen	Scott of
Bradley	Gilmore	Napier	Appanoose
Brittain	Grimwood	Natvig	Scott of Fremont
Carter	Hansen	Noble	Smith of
Clark	Hauge	Oliver	Chickasaw
Colbert	Healy	Parsons	Smith of Lucas
Cole	Held	Patterson	Stock
Criswell	Hempel	Peterson	Stookesberry
Dewar	Henderson	Powers	Storey
Diltz	Hollis	Ramsey	Strippel
Dooley	Huff	Rankin	Venard
Dotts	King	Rewoldt	Vincent
Edson	Knutson	Rhinehart	Wamstad
Fackler	Leonard	Robson	Weber
Frahm	Lichty	Rust	Wilson
Gallagher	Lieberknecht	Sampson	Mr. Speaker—73

The nays were:

Blume—1

Absent or not voting:

Berry	Garber of Floyd	Lovrien	Rassler
Brady	Gilbertson	Matthiesen	Rumley
Buffington	Graham	Miller	Stemmons
Children	Harrison	O'Donnell	Ulstad
Donhowe	Hattendorf	Olson	Williams
Doolittle	Himebauch	Ontjes	Wolfe
Edge	Johnson	Orr	Yenter—34
Elliott	Lake	Potts	
Forsling	Letts	Quirk	

The House concurred in the Senate amendment to House File No. 221.

#### CONSIDERATION OF BILLS

House File No. 142, a bill for an act to amend, revise, and codify chapter fourteen (14) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to county public hospitals and detention hospitals for contagious diseases, with report of committee recommending amendment and passage, was taken up for consideration.

Cole of Harrison offered the following amendment as a substitute for the committee amendment:

Amend section seven (7) by inserting after the comma (,) following the word "women" in line 5 the words "not more than two of such trustees shall be physicians or licensed practitioners".

#### SPECIAL ORDER NO. 1

The hour having arrived for Special Order No. 1, House File No. 68, a bill for an act to amend, revise, and codify chapters twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), and nineteen (19), of title eight (VIII) of the compiled code of Iowa and of the supplement to said code, relating to animal industry, with report of committee recommending amendment and passage. was taken up for consideration.

By unanimous consent, House File No. 68-A, a bill for an act to repeal section ten (10) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly, as amended by chapter forty-four (44), acts of the thirty-ninth (39) general assembly, and by section one (1) of chapter forty-nine (49), acts of the fortieth (40) general assembly; section eleven (11) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly, as amended by chapter one hundred ninety-four (194), acts of the thirty-ninth (39) general assembly; sections twelve (12) and thirteen (13) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly; section three (3) of chapter one hundred sixty-nine (169), acts of the thirty-ninth (39) general assembly; chapter forty-eight (48), acts of the fortieth (40) general assembly; and section two (2), chapter forty-nine (49), acts of the fortieth (40)

general assembly, relating to the eradication of bovine tuberculosis, and to enact a substitute therefor, was taken up for consideration preceding the consideration of House File No. 68.

Criswell of Boone offered the following amendment and moved its adoption:

Amend House File No. 68-A by striking from section six (6) all after the period (.) in line three (3); also amend by striking out all of section seven (7).

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Berry	Edge	Miller	Scott of Fremont
Blume	Edson	Napier	Smith of Lucas
Criswell	Frahm	Rewoldt	Stookesberry
Diltz	Garber of Floyd	Schulte	Wamstad—21
Dooley	Gilbert	Scott of	
Dotts	Gilbertson	Appanoose	

The nays were:

Blake	Grimwood	Matthiesen	Saunders
Bradley	Hansen	Moen	Schirmer
Brittain	Hattendorf	Natvig	Smith of
Buffington	Hauge	Oliver	Chickasaw
Carter	Healy	Ontjes	Stock
Children	Held	Parsons	Storey
Clark	Henderson	Patterson	Strippel
Cole	Hollis	Peterson	Ulstad
Dewar	Johnson	Powers	Venard
Donhowe	King	Quirk	Vincent
Forsling	Knutson	Ramsay	Weber
Gallagher	Leonard	Rankin	Williams
Garber of Adair	Lichty	Rhinehart	Wilson
Gesman	Long	Robson	Wolfe
Gibson	McClune	Rust	Mr. Speaker—62
Gilmore	Mathews	Sampson	

Absent or not voting:

Aiken	Fackler	Letts	Potts
Anderson of	Graham	Lieberknecht	Rassler
Webster	Harrison	Lovrien	Rumley
Brady	Hempel	Noble	Slemmons
Colbert	Himebauch	O'Donnell	Yenter—25
Doolittle	Huff	Olson	
Elliott	Lake	Orr	

Amendment rejected.

McClune of Mahaska offered the following amendments and moved their adoption:

Amend House File No. 68-A as follows:

Amend by striking out of lines six (6) and seven (7) in section twenty-five (25) the following: "At its next regular meeting, shall declare by resolution that such county has been enrolled under the accredited area plan" and substituting therefor the following: "Shall cause to be published a notice of such enrollment once in two official newspapers of the county".

Also amend section twenty-seven (27) by adding after the period (.) in line fifteen (15) the following: "When the county is so enrolled the board of supervisors shall cause a notice of such enrollment to be published once in two official newspapers of the county and thereafter every owner of breeding cattle within the county shall cause his cattle to be tested for tuberculosis as provided in this chapter and shall comply with all the requirements for the establishment and maintenance of the tuberculosis-free accredited herd."

Also amend section twenty-eight (28) by striking out of lines five (5) and six (6) the words "of the resolution by the board of supervisors" and substituting therefor "of the notice of enrollment".

#### Amendments adopted.

Williams of Montgomery moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Floyd	Long	Schulte
Anderson of	Gesman	McClune	Scott of
Webster	Gibson	Matthiesen	Appanoose
Blake	Gilbert	Miller	Scott of Fremont
Blume	Gilmore	Moen	Smith of
Bradley	Graham	Napler	Chickasaw
Brittain	Grimwood	Natvig	Stock
Buffington	Harrison	Oliver	Storey
Children	Hattendorf	Parsons	Strippel
Clark	Healy	Patterson	Ulstad
Cole	Held	Peterson	Venard
Criswell	Hempel	Powers	Vincent
Dewar	Henderson	Quirk	Wamstad
Diltz	Hollis	Ramsey	Weber
Donhowe	Huff	Rankin	Williams
Doolittle	Johnson	Rhinehart	Wilson
Dotts	King	Robson	Wolfe
Edson	Knutson	Rust	Mr. Speaker—78
Forsling	Lake	Sampson	
Gallagher	Leonard	Saunders	
Garber of Adair	Lichty	Schirmer	

The nays were:

Dooley	Frahm	Smith of Lucas	Stookesberry—4
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## Absent or not voting:

Berry	Gilbertson	Mathews	Rassler
Brady	Hansen	Noble	Rewoldt
Carter	Hauge	O'Donnell	Rumley
Colbert	Himebauch	Olson	Slemmons
Edge	Letts	Ontjes	Yenter—26
Elliott	Lieberknecht	Orr	
Fackler	Lovrien	Potts	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House proceeded with the consideration of House File No. 68.

The amendments filed by Williams of Montgomery and found in the Journal of January 31st were taken up and considered.

On motion of Mr. Williams the amendments were adopted.

The following amendments filed by McClune of Mahaska were taken up and considered:

Amend House File No. 68 as follows:

2. Amend section seventy-three (73) by striking out of lines five (5), six (6) and seven (7) the words "at its next regular meeting, shall declare by resolution that such county has been enrolled under the accredited area plan" and substituting therefor the following: "shall cause to be published a notice of such enrollment once in two official newspapers of the county".

Amend the committee amendments to House File No. 68 as follows:

3. Amend section seventy-three-a two (73-a2) by adding thereto the following: "When the county is so enrolled the board of supervisors shall cause a notice of such enrollment to be published once in two official newspapers of the county and thereafter every owner of breeding cattle within the county shall cause his cattle to be tested for tuberculosis as provided in this chapter and shall comply with all the requirements for the establishment and maintenance of the tuberculosis-free accredited herd."

4. Amend section seventy-four (74) by striking out of lines five (5) and six (6) the words "resolution by the board of supervisors" and substituting therefor the words "notice of enrollment".

On motion of Mr. McClune the amendments were adopted.

By unanimous consent the following amendments filed by McClune of Mahaska were withdrawn:

1. Amend section twenty-seven-a one (27-a1) by substituting for the word "act" in line two (2) the word "chapter".

5. Further amend House File No. 68 by striking out of line three (3) in section seventy-five (75) the words "the two preceding sections" and substituting therefor "sections seventy-three (73) and seventy-three-a one (73-a1)".

Amend House File No. 68 by striking out of lines one (1) and two (2) of section forty-eight (48) the words "and directed".

By unanimous consent the amendments filed by Criswell of Boone on January 25th were withdrawn.

On motion of Williams of Montgomery the amendments proposed by the committee on January 19th, as amended, were adopted.

Mr. Williams moved that the bill be read a third time now and placed upon its passage, which motion prevailed.

Dooley of Van Buren moved that Criswell of Boone be permitted to speak on the main bill. Motion prevailed.

Criswell of Boone moved that further action on House File No. 68 be deferred.

McClune of Mahaska raised the point of order that the motion to defer action was out of order as the bill had passed to its third reading.

The Speaker ruled that the point of order was well taken.

The bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Lake	Rust
Anderson of	Gallagher	Leonard	Sampson
Webster	Garber of Adair	Lichty	Saunders
Blake	Garber of Floyd	Long	Schirmer
Blume	Gesman	McClune	Schulte
Bradley	Gibson	Matthiesen	Scott of Fremont
Brittain	Gilbert	Moen	Smith of
Buffington	Gilmore	Napier	Chickasaw
Carter	Grimwood	Natvig	Stock
Children	Harrison	Oliver	Storey
Clark	Hattendorf	Parsons	Strippel
Cole	Hauge	Patterson	Ulstad
Dewar	Healy	Peterson	Venard
Diltz	Held	Powers	Vincent
Donhowe	Henderson	Quirk	Wamstad
Doolittle	Hollis	Ramsey	Weber
Dotts	Huff	Rankin	Williams
Edge	King	Rhinehart	Wilson
Edson	Knutson	Robson	Mr. Speaker—74

The nays were:

Criswell	Miller	Rewoldt	Stookesberry—7
Dooley	Rassler	Smith of Lucas	

Absent or not voting:

Berry	Graham	Lovrien	Potts
Brady	Hansen	Mathews	Rumley
Colbert	Hempel	Noble	Scott of
Elliott	Himebauch	O'Donnell	Appanoose
Fackler	Johnson	Olson	Slemmons
Frahm	Letts	Ontjes	Wolfe
Gilbertson	Lieberknecht	Orr	Yenter—27

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Rhinehart of Dallas, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files No. 151 and 175.

CHARLES RHINEHART, *Acting Chairman House Committee.*  
F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 151 and 175.

On motion of Clark of Linn the House adjourned until 4:00 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### 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. 155, a bill for an act to amend, revise, and codify the law relating to municipal corporations—civil service commission.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 91, a bill for an act to amend, revise, and codify the law relating to the state university and the work of the bacteriological laboratory therein.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 165, a bill for an act to amend, revise, and codify the law relating to public libraries in municipal corporations.

Also, 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 amend, revise, and codify the law relating to the Iowa state college of agriculture and mechanic arts.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 92, a bill for an act to amend, revise, and codify the law relating to medical and surgical treatment of indigent persons.

Also, that the Senate has failed to pass the following bill:

House File No. 22, a bill for an act to amend, revise, and codify the law relating to nominations by caucus, convention, or petition.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 264, a bill for an act to amend, revise, and codify the law relating to compensation of county attorney.

L. W. AINSWORTH, *Secretary.*

#### SENATE AMENDMENTS TO HOUSE FILE NO. 264

Amend by striking the comma (,) following the word "mortgages" in line 22 of section 1.

Amend by striking out of lines 23, 24 and 25 of section 1, the following:  
"The provisions of this paragraph shall apply from April fourteen, nineteen hundred twenty-three (1923)."

#### SENATE MESSAGES CONSIDERED

Senate File No. 93, a bill for an act to amend, revise, and codify sections two thousand three hundred ninety-six (2396), two thousand three hundred ninety-seven (2397), and two thousand four hundred fifteen (2415) of the compiled code of Iowa, relating to the Iowa state college of agriculture and mechanic arts.

Read first and second times and referred to committee on state educational institutions.

Senate File No. 165, a bill for an act to amend, revise, and codify sections three thousand four hundred forty-three (3443)

and three thousand seven hundred forty-nine (3749) of the compiled code of Iowa, and sections three thousand seven hundred fifty-two (3752) and three thousand seven hundred sixty (3760) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

Senate File No. 155, a bill for an act to amend, revise, and codify chapter five (5) of title thirteen (13) of the compiled code of Iowa and of the supplement to said code, and section forty-two hundred thirty-two (4232) of the compiled code of Iowa, and sections forty-two hundred ninety-seven-a :one (4297-a1) to forty-two hundred ninety-seven-a nineteen (4297-a19), inclusive, of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

Senate File No. 91, a bill for an act to amend, revise, and codify sections two thousand three hundred forty-five (2345), two thousand three hundred forty-six (2346), two thousand three hundred fifty-two (2352), two thousand three hundred fifty-three (2353) of the compiled code of Iowa, and section two thousand three hundred fifty-four (2354) of the supplement to said code, relating to the state university and the work of the bacteriological laboratory therein.

Read first and second times and referred to committee on state educational institutions.

#### REPORTS OF COMMITTEES

Graham of Wapello, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections, to whom was referred Senate File No. 35, a bill for an act to amend, revise, and codify sections six hundred sixty-eight (668) and six hundred seventy-one (671) of the compiled code of Iowa, relating to vacancies in 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 do pass.

S. L. GRAHAM, *Chairman.*

Report adopted.

Healy of Hancock, 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. 114, a bill for an act to amend, revise and codify sections two thousand seven hundred twenty-eight (2728) to two thousand seven hundred thirty-eight (2738), inclusive, two thousand seven hundred forty-six (2746), two thousand seven hundred forty-seven (2747), two thousand seven hundred forty-nine (2749) to two thousand seven hundred fifty-three (2753), inclusive, two thousand seven hundred fifty-six (2756) to two thousand seven hundred sixty-four (2764), inclusive, two thousand seven hundred sixty-seven (2767), and two thousand seven hundred sixty-eight (2768) of the compiled code of Iowa, and section two thousand seven hundred forty-eight (2748) of the supplement to said code, 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 as follows, and when so amended the bill do pass:

Amend section 1 by striking from lines one (1) and two (2) the words "a legislative reference section,".

Amend section 10 by striking from lines one (1) and two (2) the words "and legislative reference sections of the state".

Amend section 23 by inserting the word "thereof" following the word "bureau" in line nine (9).

E. P. HEALY, *Chairman.*

Report adopted.

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 288, a bill for an act to legalize the issuance of certain warrants of the City of Sioux City, Iowa, issued against the Police Equipment Fund of said city and legalizing and validating said warrants as issued, beg leave to report they have had 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. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred Senate File No. 231, a bill for an act to amend, revise, and codify sections seven thousand four hundred forty-seven (7447), seven thousand four hundred fifty (7450), seven thousand four hundred fifty-one (7451), and seven thousand five hundred eighty-one (7581) of the compiled code of Iowa, relating to trial and judgment, beg leave to report they have had the same under consideration and have instructed me to report the

same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section one (1) by striking out of lines 6 and 7 the words “, but no others.”.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 211, a bill for an act to amend, revise, and codify sections sixty-two hundred twenty-seven (6227) to sixty-two hundred twenty-nine (6229), inclusive, and sixty-two hundred thirty-four (6234) to sixty-two hundred thirty-six (6236), inclusive, of the compiled code of Iowa, relating to unlawful combinations, pools, and trusts in the business of buying, selling, handling, or transporting any commodity or article of commerce and penalties for violation of said 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, and when so amended the bill do pass:

Amend section one (1) by striking out the colon (:) in line 7 and substituting in lieu thereof a comma (,) and the following: “except as otherwise provided by law in relation to cooperative associations and collective bargaining.”.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 220, a bill for an act to amend, revise, and codify sections six thousand eight hundred forty-one (6841) to six thousand eight hundred forty-three (6843), inclusive, six thousand eight hundred forty-five (6845) to six thousand eight hundred eighty-seven (6887), inclusive, six thousand eight hundred eighty-nine (6889), six thousand eight hundred ninety-one (6891) to six thousand eight hundred ninety-five (6895), inclusive, and six thousand nine hundred (6900) of the compiled code of Iowa, and sections six thousand eight hundred forty (6840), six thousand eight hundred forty-four (6844), six thousand eight hundred eighty-eight (6888), and six thousand eight hundred ninety (6890) of the supplement to said code, relating to municipal courts, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

(1) Amend section three (3) by striking out the word “separate” in line two (2).

(2) Amend section six (6) by striking out the last sentence and inserting in lieu thereof the following: “Under like conditions or if for any other reason a vacancy shall exist the other elective officers of the

court shall be appointed by the mayor with the approval of the city council."

(3) Amend section twelve (12) by inserting after the word "election" in line 12, the words "if one be held".

(4) Amend section fourteen (14) by inserting following the comma in line four (4) the following: "juvenile proceedings unless otherwise authorized,".

(5) Amend section twenty-three (23) by inserting after the word "judges" in line one (1) the words "and jurors".

(6) Amend section twenty-seven (27) by striking out the second sentence thereof.

(7) Amend section thirty-six (36) by striking out the second sentence thereof and inserting in lieu thereof the following:

"The jury shall on all occasions consist of six jurors; except in class 'A' cases a jury of twelve may be demanded."

(8) Amend section thirty-seven (37) by striking out of line one (1) the word "each" and inserting in lieu thereof the following: "the clerk shall select eight jurors by lot from the regular panel or additions thereto. Each".

Also amend by adding at the end of said section the following: "After all challenges have thus been exercised or waived and two jurors have been stricken from the list the clerk shall read the names of the six jurors remaining who shall constitute the jury selected."

(9) Amend section thirty-nine (39) by adding at the end of said section the following:

"Motions to vacate a judgment or order because of irregularity in obtaining it must be made within ninety (90) days from the entry thereof."

(10) Amend section forty (40) by striking out the words "the same" at the end of the section and adding thereto the following: "such judgments as though rendered in the district court as of the date of filing in said court".

(11) Amend section forty-one (41) by striking out the word "may" in line four (4) and substituting in lieu thereof the word "shall"; and by adding at the end of said section the following: "In class 'D' actions appeals shall be taken to the district court as provided in the case of appeals from justice courts."

(12) Amend section forty-two (42) by adding after the word "court," in line two (2) the words "and thereafter"; and further amend said section by striking from line three (3) the word "notify" and substituting in lieu thereof the following: "certify such fact to".

C. F. CLARK, *Chairman*.

Report adopted.

Forsling 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. 165, a bill for an act to amend, revise, and codify sections three thousand four hundred forty-three (3443) and three thousand seven hundred forty-nine (3749) of the compiled code of Iowa, and sections three thousand seven hundred fifty-two (3752) and three thousand seven hundred sixty (3760) of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

Amend by striking section 2 from the bill and inserting in lieu thereof the following:

"The board of trustees of any free public library may contract with any city, town, school corporation, township or county for its use by their respective residents. Townships and counties may contract only for the residents outside of cities and towns. Such contract by a county shall supersede all contracts between the library trustees and townships or school corporations outside of cities and towns."

L. B. FORSLING, *Chairman.*

Report adopted.

On motion of Fackler of Adams the House adjourned until 10:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA. FEBRUARY 2, 1924.

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

Prayer was offered by the Rev. L. M. Grigsby, pastor of the Grace M. E. church, Des Moines, Iowa.

Journal of February 1st corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Smith of Lucas for the day, on request of Scott of Appanoose; Vincent of Guthrie for the day, on request of Sampson of Audubon; Harrison of Pottawattamie for the day, on request of Dooley of Van Buren; Ontjes of Grundy for the day, on request of Schulte of Worth; Lieberknecht of Louisa for the day, on request of Held of Plymouth; Frahm of Carroll for the day, on request of Schulte of Worth; Letts of Washington for the day, on request of Peterson of Henry; Graham of Wapello for the day, on request of Rassler of Pocahontas; Carter of Hardin for the day, on request of Dotts of Wayne; Patterson of Kossuth for the day, on request of Wamstad of Mitchell; Garber of Adair for the day, on request of Wamstad of Mitchell; Ramsey of Butler for the day, on request of Blake of Fayette.

## PETITIONS

Matthiesen of Clinton presented a petition from Clinton County Medical Society urging the passage of House File No. 283 without amendments. Referred to committee on suppression of intemperance.

Olson of Clinton presented a petition from the New Century Women's Club, Delmar, urging the passage of Senate File No. 290 appropriating \$5,000.00 for the child welfare commission. Referred to committee on appropriations.

Rassler of Pocahontas presented a resolution from Pocahontas County Farmers Union favoring the Wallace export corporation plan. Referred to committee on agriculture.

## BUSINESS PENDING

The House resumed consideration of House File No. 142, a bill for an act to amend, revise, and codify chapter fourteen (14) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to county public hospitals and detention hospitals for contagious diseases.

The amendment offered by Cole of Harrison as a substitute for the committee amendment was taken up for consideration.

Mr. Cole moved that the amendment be substituted for the committee amendment and demanded a roll call.

On the question "Shall the amendment by Cole of Harrison be substituted for the committee amendment?"

## The ayes were:

Blake	Forsling	Knutson	Rust
Bradley	Gallagher	Lake	Sampson
Clark	Garber of Floyd	Lichty	Saunders
Colbert	Gilmore	Long	Schirmer
Cole	Grimwood	McClune	Stock
Donhowe	Hansen	Moen	Strippel
Doolittle	Healy	Rankin	Weber
Edge	Held	Rhinehart	Williams
Fackler	Hollis	Robson	Mr. Speaker—36

## The nays were:

Aiken	Gilbertson	Natvig	Scott of
Anderson of	Hattendorf	Noble	Appanoose
Webster	Hempel	Oliver	Scott of Fremont
Berry	Henderson	Parsons	Smith of
Blume	Huff	Peterson	Chickasaw
Brittain	Johnson	Potts	Stokesberry
Children	King	Powers	Ulstad
Criswell	Leonard	Quirk	Venard
Dooley	Mathews	Rassler	Wamstad
Dotts	Matthiesen	Rewoldt	Wilson
Edson	Miller	Schulte	Wolfe—43
Gibson	Napier		

## Absent or not voting:

Brady	Gesman	Lovrien	Slemmons
Buffington	Gilbert	O'Donnell	Smith of Lucas
Carter	Graham	Olson	Storey
Dewar	Harrison	Ontjes	Vincent
Diltz	Hauge	Orr	Yenter—29
Elliott	Himebauch	Patterson	
Frahm	Letts	Ramsey	
Garber of Adair	Lieberknecht	Rumley	

The motion to substitute was lost.

Wamstad of Mitchell offered the following amendments and moved their adoption:

Amend House File No. 142 as follows:

Amend by inserting in section 4, line 1 thereof, immediately after the word "proposition" the following words: "at a general election".

Also amend by inserting immediately after section 4 the following:

"Sec. 4-a1. Vote required at special election.

Said proposition when presented at a special election shall not be deemed carried unless the number of votes cast at such special election is not less than a majority of the total number of votes cast at the last preceding general election in said county for governor, and unless said proposition receives at said special election a majority of the votes cast."

Amendments adopted.

On motion of Gibson of Clark the amendment proposed by the committee and found in the Journal of January 30th was adopted.

Grimwood of Jones offered the following amendment and moved its adoption:

Amend House File No. 142 by adding at the end of section fourteen (14) the following: "To be entitled to hospital benefits, patient must at all times observe the rules of conduct prescribed by the board of hospital trustees."

Amendment adopted.

Mr. Gibson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lichty	Rust
Anderson of	Gibson	Long	Sampson
Webster	Gilbertson	Mathews	Saunders
Berry	Gilmore	Miller	Schirmer
Blake	Grimwood	Moen	Schulte
Blume	Hansen	Napier	Scott of
Brittain	Hattendorf	Natvig	Appanoose
Children	Healy	Noble	Smith of
Colbert	Held	Oliver	Chickasaw
Criswell	Hempel	Parsons	Stokesberry
Diltz	Henderson	Peterson	Ulstad
Donhowe	Hollis	Potts	Venard
Dooley	Huff	Powers	Wamstad
Doolittle	Johnson	Quirk	Weber
Dotts	King	Rankin	Williams
Edge	Knutson	Rassler	Wilson
Edson	Lake	Rewoldt	Wolfe
Fackler	Leonard	Robson	Mr. Speaker—69

The nays were:

Bradley	Cole	Stock	Strippel—4
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Absent or not voting:

Brady	Garber of Floyd	Lovrien	Rhinehart
Buffington	Gesman	McClune	Rumley
Carter	Gilbert	Matthiesen	Scott of Fremont
Clark	Graham	O'Donnell	Slemmons
Dewar	Harrison	Olson	Smith of Lucas
Elliott	Hauge	Ontjes	Storey
Forsling	Himebauch	Orr	Vincent
Frahm	Letts	Patterson	Yenter—35
Garber of Adair	Lieberknecht	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Rhinehart of Dallas, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 32 and 86.

CHARLES RHINEHART, *Acting Chairman House Committee.*  
F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 32 and 86.

#### BILLS SENT TO THE GOVERNOR

Rhinehart of Dallas, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this second day of February, 1924, sent to the Governor for his approval:

House Files Nos. 32 and 86.

CHARLES RHINEHART, *Acting Chairman.*

Report adopted.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on February 1st, approved the following bills: House Files Nos. 10, 174, 270, 160, 176 and 246.

## SPECIAL ORDER MADE

On request of Sampson of Audubon, unanimous consent having been obtained, Calendar No. 3, Senate File No. 53 was made a special order for Wednesday, February 6th, at 11:00 a. m.

## AMENDMENT FILED

Clark of Linn filed the following amendment to House File No. 110:

Amend House File No. 110 as follows:

Amend section one (1) by striking from line ten (10) thereof the words and figures "eighty dollars (\$80.00)" and substituting in lieu thereof the words and figures "seventy dollars (\$70.00)".

On motion of Stookesberry of Davis the House adjourned until 10:00 a. m. Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 4, 1924.

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

Prayer was offered by the Rev. Allen L. Eddy, pastor of the First Congregational church, Webster City, Iowa.

Journal of February 2d corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Lake of Woodbury until Wednesday, on request of Edge of Jasper; Lieberknecht of Louisa for the day, on request of Held of Plymouth; Ramsey of Butler until Wednesday, on request of Vincent of Guthrie; Venard of Sioux for the day, on request of Berry of Monroe; Dewar of Cherokee for the day, on request of Clark of Linn; Frahm of Carroll for the day, on request of Blume of Crawford; O'Donnell of Dubuque for the day, on request of Weber of Dubuque; Orr of Keokuk for the day, on request of Smith of Lucas; Harrison of Pottawattamie for the day, on request of Children of Pottawattamie; Letts of Washington for the day, on request of Long of Jefferson; Patterson of Kossuth for the day, on request of Saunders of Palo Alto.

## PETITIONS

Henderson of Hamilton presented a petition from citizens of Webster City and vicinity, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## RESIGNATION OF COMMITTEE CLERK

Miss Sara MacGettigan filed her resignation as committee clerk, same to be effective as of February 10th.

The chief clerk announced the appointment of Ethel Kennedy to fill the vacancy. Mrs. Kennedy took and subscribed to the required oath.

## REPORTS OF COMMITTEES

Forsling 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. 155, a bill for an act to amend, revise, and codify chapter five (5) of title thirteen (13) of the compiled code of Iowa and of the supplement to said code, and section forty-two hundred thirty-two (4232) of the compiled code of Iowa, and sections forty-two hundred ninety-seven-a one (4297-a1) to forty-two hundred ninety-seven-a nineteen (4297-a19), inclusive, of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

1. Amend section 1 by adding thereto the following: "Nothing herein shall affect the term of any commissioner heretofore appointed under the provisions of the law applicable to cities under the commission form of government."

2. Amend section 5 by striking out all of said section and by inserting in lieu thereof the following:

"The provisions of this chapter shall apply to all appointive officers and employees, including deputy clerks and bailiffs of the municipal court, in cities under the commission form of government having a population of more than 100,000, except:

1. City clerk, solicitor, assistant solicitor, assessor, treasurer, auditor, civil engineer, health physician, chief of police, market master.

2. Laborers whose occupation requires no special skill or fitness.

3. Election officials.

4. Secretary to the mayor or to any commissioner.

5. Commissioners of any kind.

6. Casual employees in those positions not required to be filled for a period exceeding six months in any one year.

In all other cities, the provisions of this chapter shall apply only to members of the police and fire departments, except:

1. Chief of police.

2. Matrons, janitors, clerks, stenographers, and secretaries.

3. Casual employees."

3. Amend section 8 by striking from said section all after the period (.) following the word "list" in line 7 down to and including the period (.) preceding the word "If" in line 9, and by inserting in lieu thereof the following: "Such appointments from civil service lists shall, in cities under the commission form, be made by the superintendents of the respective departments, with the approval of the council; in cities under the manager plan such appointments shall be made by the manager, and in other cities, by the chiefs of the respective departments. In the case of deputy clerks

or bailiffs of the municipal court, the appointments, if under civil service, shall be made by the clerk or bailiff thereof, respectively."

4. Amend section 9 by striking therefrom all of line 1 and by inserting in lieu thereof the following: "In cities under the commission plan, the superintendent of public safety with the approval of the council".

5. Amend section 13 by striking therefrom all of lines 1 and 2 and by inserting in lieu thereof the following: "The person having the appointing power as provided in this chapter, or the chief of police and the chief of the fire department".

L. B. FORSLING, *Chairman.*

### Report adopted.

Edson of Buena Vista, 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. 119, a bill for an act to amend, revise, and codify chapter three (3) of title eleven (11) of the compiled code of Iowa, relating to the state highway commission and other officers charged with duties relating to 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 do pass.

W. C. EDSON, *Chairman.*

### Report adopted.

#### Also:

MR. SPEAKER: Your committee on roads and highways to whom was referred Senate File No. 117, a bill for an act to amend, revise, and codify sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred sixteen (2816), twenty-eight hundred twenty-six (2826) to twenty-eight hundred thirty-four (2834), inclusive, and section twenty-nine hundred forty-three (2943) of the compiled code of Iowa and of the supplement to said code, relating to the establishment, vacation, and alteration of highways, to the erection and maintenance of bridges, and to the condemnation, establishment, and improvement of primary roads in cities and towns, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

#### 1. Amend section 8 by adding thereto the following:

"If the two appraisers selected shall fail within ten days to select a third, or the third appraiser so selected shall fail to serve, then the board of supervisors shall select the third appraiser".

#### 2. Amend by adding the following section:

##### Sec. 20. Publication.

This act being deemed of immediate importance shall take effect from and after its publication in the Des Moines Register, a newspaper published in the city of Des Moines, Iowa, and the Cherokee Chief, a news-

paper published in the city of Cherokee, Iowa, without expense to the state.

W. C. EDSON, *Chairman*.

Report adopted.

Rankin of Lee, from the committee on railroads, submitted the following report:

MR. SPEAKER: Your committee on railroads to whom was referred House File No. 198, a bill for an act to amend, revise, and codify sections fifty-one hundred seventy-nine-a one (5179-a1) to fifty-one hundred seventy-nine-a thirteen (5179-a13), inclusive, of the supplement to the compiled code of Iowa, relating to regulation of common carriers in respect to schedules of rates and charges, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JNO. M. RANKIN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on railroads to whom was referred House File No. 200, a bill for an act to amend, revise and codify sections five thousand ten (5010), fifty-two hundred thirty-nine (5239), fifty-two hundred forty (5240), fifty-two hundred forty-two (5242), fifty-two hundred forty-three (5243), fifty-two hundred forty-five (5245), fifty-two hundred forty-six (5246) and fifty-two hundred forty-nine (5249) of the compiled code of Iowa, relating to interurban railways, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JNO. M. RANKIN, *Chairman*.

Report adopted.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Gibson of Clarke, House File No. 264, a bill for an act to amend, revise, and codify section thirty-two hundred thirty-one-a nine (3231-a9) of the supplement to the compiled code of Iowa, relating to compensation of county attorney, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend by striking the comma (,) following the word "mortgages" in line 22 of section 1.

Amend by striking out of lines 23, 24 and 25 of section 1, the following: "The provisions of this paragraph shall apply from April fourteen, nineteen hundred twenty-three (1923)."

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

On the question "Shall the House concur?"

The ayes were:

Aiken	Garber of Floyd	Mathews	Scott of
Anderson of	Gibson	Matthiesen	Appanoose
Webster	Gilbert	Miller	Scott of Fremont
Blake	Gilbertson	Napier	Slemmons
Blume	Graham	Natvig	Smith of
Bradley	Hansen	Ontjes	Chickasaw
Brittain	Hattendorf	Parsons	Smith of Lucas
Carter	Healy	Peterson	Stock
Children	Hempel	Potts	Stookesberry
Clark	Henderson	Powers	Storey
Colbert	Himebauch	Quirk	Strippel
Diltz	Huff	Rankin	Ulstad
Donhowe	Johnson	Rassler	Vincent
Dooley	King	Robson	Wamstad
Dotts	Knutson	Rust	Weber
Edge	Leonard	Sampson	Wilson
Edson	Lichty	Saunders	Wolfe
Fackler	Long	Schirmer	Mr. Speaker—72
Gallagher	Lovrien	Schulte	

The nays were:

Doolittle	Held	Oliver—5
Grimwood	Moen	

Absent or not voting:

Berry	Frahm	Letts	Ramsey
Brady	Garber of Adair	Lieberknecht	Rewoldt
Buffington	Gesman	McClune	Rhinehart
Cole	Gilmore	Noble	Rumley
Criswell	Harrison	O'Donnell	Venard
Dewar	Hauge	Olson	Williams
Elliott	Hollis	Orr	Yenter—31
Forsling	Lake	Patterson	

The House concurred in the Senate amendments to House File No. 264.

#### CONSIDERATION OF BILLS

Senate File No. 187, a bill for an act to amend, revise, and codify sections forty-nine hundred fifty-nine (4959) to forty-nine hundred sixty-one (4961), inclusive, forty-nine hundred sixty-three (4963) to forty-nine hundred sixty-five (4965), inclusive, forty-nine hundred sixty-seven (4967), forty-nine hundred sixty-eight (4968), forty-nine hundred seventy-one (4971) to forty-nine hundred seventy-five (4975), inclusive, forty-nine hundred seventy-seven (4977) to forty-nine hundred eighty-one (4981), inclusive, forty-nine hundred eighty-three (4983) to fifty hundred one (5001), inclusive, fifty hundred eight (5008), and fifty hun-

dred eleven (5011) of the compiled code of Iowa and sections forty-nine hundred fifty-nine-a one (4959-a1), forty-nine hundred sixty-eight-a one (4968-a1), and forty-nine hundred seventy-a one (4970-a1) of the supplement to said code, relating to the condemnation of private property for works of internal improvement and for other public uses and purposes, was taken up for further consideration.

Doolittle of Delaware offered the following amendment and moved its adoption:

Amend section forty-two (42) of Senate File No. 187 by striking out of line two (2) thereof the words "or of any part of the curtilage thereof" and inserting in lieu thereof the following: "dwelling house, out house, orchard or garden".

Amendment adopted.

Lovrien of Humboldt moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Garber of Floyd	Lovrien	Schirmer
Berry	Gibson	Mathews	Schulte
Blake	Gilbert	Matthiesen	Scott of
Blume	Gilbertson	Miller	Appanoose
Bradley	Gilmore	Moen	Scott of Fremont
Brittain	Graham	Napier	Slemmons
Carter	Grimwood	Natvig	Smith of
Children	Hansen	Noble	Chickasaw
Clark	Hattendorf	Oliver	Smith of Lucas
Colbert	Healy	Olson	Stock
Cole	Held	Ontjes	Stookesberry
Diltz	Hempel	Parsons	Storey
Dooley	Henderson	Peterson	Strippel
Doolittle	Himebauch	Powers	Ulstad
Dotts	Hollis	Quirk	Vincent
Edge	Huff	Rankin	Wamstad
Edson	Johnson	Rassler	Weber
Fackler	King	Rewoldt	Wilson
Forsling	Knutson	Robson	Wolfe
Gallagher	Leonard	Rust	Mr. Speaker—83
Garber of Adair	Lichty	Sampson	
	Long	Saunders	

The nays were:

Aiken—1

## Absent or not voting:

Brady	Frahm	Lieberknecht	Ramsey
Buffington	Gesman	McClune	Rhinehart
Criswell	Harrison	O'Donnell	Rumley
Dewar	Hauge	Orr	Venard
Donhowe	Lake	Patterson	Williams
Elliott	Letts	Potts	Yenter—24

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 168, a bill for an act to amend, revise, and codify sections three thousand eight hundred eleven (3811), three thousand eight hundred twenty-five (3825), three thousand eight hundred thirty-six (3836), three thousand eight hundred forty (3840) to three thousand eight hundred forty-three (3843), inclusive, three thousand eight hundred forty-five (3845), and three thousand eight hundred forty-six (3846) of the compiled code of Iowa, and section three thousand eight hundred eight (3808) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Gilbert of Marshall the amendments proposed by the committee, found in the Journal of February 1st, were adopted.

Mr. Gilbert moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lichty	Rust
Anderson of Webster	Garber of Adair	Long	Sampson
Berry	Garber of Floyd	Lovrien	Saunders
Blake	Gibson	Mathews	Schirmer
Blume	Gilbert	Matthiesen	Schulte
Bradley	Gilmore	Moen	Scott of Fremont
Brittain	Graham	Napier	Slemmons
Clark	Grimwood	Natvig	Smith of Chickasaw
Colbert	Hansen	Noble	Stock
Cole	Hauge	Olson	Storey
Donhowe	Healy	Ontjes	Strippel
Dooley	Hempel	Parsons	Vincent
Dotts	Henderson	Peterson	Wamstad
Edge	Himebauch	Potts	Weber
Edson	Hollis	Powers	Wilson
Fackler	Johnson	Quirk	Mr. Speaker—69
Forsling	King	Rankin	
	Knutson	Robson	

The nays were:

Carter	Huff	Rewoldt	Ulstad
Children	Leonard	Scott of	Wolfe—16
Gilbertson	Miller	Appanoose	
Hattendorf	Oliver	Smith of Lucas	
Held	Rassler	Stookesberry	

Absent or not voting:

Brady	Elliott	Lieberknecht	Rhinehart
Buffington	Frahm	McClune	Rumley
Criswell	Gesman	O'Donnell	Venard
Dewar	Harrison	Orr	Williams
Diltz	Lake	Patterson	Yenter—23
Doolittle	Letts	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 102

Johnson of Dickinson, from the conference committee on House File No. 102, submitted the following report:

MR. SPEAKER: Your conference committee on House File No. 102 beg leave to report that they have had under consideration section four of said bill, over which there was a disagreement between the two houses, and beg leave to report that they recommend the adoption of the following in lieu of said section four:

"Sec. 4. The board of directors in any independent school district situated in whole or in part in any city having a population of twelve thousand (12,000) or over, in which there shall reside or be employed, or both, fifteen (15) or more children over fourteen (14) years of age and under sixteen (16) years of age, who are not in regular attendance in a full time day school, shall establish and maintain part-time schools, departments or classes for such children. In districts situated in whole or in part in cities having less than twelve thousand (12,000) population, the board may establish and maintain such schools. When such part-time schools have been established, all persons having custody of such children shall cause them to attend the same."

BYRON W. NEWBERRY  
O. L. MEAD  
P. C. HOLDOEGEL  
H. J. MANTZ  
FRANCIS JOHNSON  
C. F. CLARK  
HOWARD A. MATHEWS  
S. L. GRAHAM

#### AMENDMENTS FILED

Children of Pottawattamie filed the following amendment to Senate File No. 165:

Amend Senate File No. 165 as follows:

Amend section six (6) by striking out of lines three (3) and four (4) the words "be paid the library with which the contract is made" and inserting in lieu thereof the words "create a fund to fulfill its obligation under the contract".

Children of Pottawattamie filed the following amendment to House File No. 114:

Amend House File No. 114 as follows:

Amend section twenty-three (23) by inserting after the word "annually" in line one (1) the words "for the biennium ending June thirtieth, nineteen hundred twenty-five (1925),".

Edge of Jasper filed the following amendment to substitute for House File No. 54:

Amend section fifty-five (55) of substitute for House File No. 54 by striking out of lines six (6) and seven (7) the words "or destroy any skunk den".

Hollis of Black Hawk filed the following amendments as a substitute for the amendments proposed by Dooley of Van Buren to the substitute for House File No. 54:

Amend by striking out section fourteen of the bill and substituting in lieu thereof the following:

"Sec. 14. License to hunt and fish.

No person shall hunt, pursue, kill or take any wild animal, bird or game in this state in any manner, or trap fur-bearing animals or game without first procuring a license.

No male person over the age of eighteen (18) years shall fish in any of the waters of the state without first procuring a fishing license; provided, however, no license shall be required from owners or tenants of farm lands, their wives, children or employees for hunting, trapping or fishing upon lands owned or occupied by them."

Unanimous consent having been obtained to return to the order of resolutions, Potts of Lee offered the following:

#### CONCURRENT RESOLUTION NO. 10

*Whereas*, We have heard with profound sorrow of the death in Washington, D. C., of our beloved former president, Woodrow Wilson; therefore,

*Be It Resolved by the House, the Senate concurring*: That we here express our heartfelt appreciation for his splendid ability, his unselfish and devoted service and the nobleness of his character, and that in his passing America and the world have lost a most faithful public servant of unusual ability and fidelity, and one who has sacrificed his health and given his life for the ideal that lay closest to his heart—the permanent peace of the world.

*Be It Further Resolved:* That the House and Senate do now adjourn out of respect to the memory of our deceased and beloved former president until nine-thirty o'clock a. m. on Tuesday, February 5, 1924.

Unanimous consent having been obtained for immediate consideration of the resolution, Mr. Potts moved its adoption.

The concurrent resolution was unanimously adopted.

The House stood adjourned until 9:30 a. m. Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 5, 1924.

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

Prayer was offered by the Rev. H. B. Allen, pastor of the Presbyterian church, Marengo, Iowa.

Journal of February 4th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Dewar of Cherokee for the day, on request of Clark of Linn; Stock of Allamakee for the forenoon, on request of Strippel of Benton; O'Donnell of Dubuque for the day, on request of Potts of Lee; Gallagher of Iowa for the day, on request of Potts of Lee.

## PETITIONS

Lovrien of Humboldt presented a resolution from Camp No. 3589, M. W. A., protesting against any fraternal insurance legislation. Referred to committee on insurance.

Huff of Cass presented a petition from citizens of Cass county, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on February 2d, approved the following bills: House Files Nos. 86 and 32.

## REPORTS OF COMMITTEE

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred

Senate File No. 237, a bill for an act to amend, revise, and codify sections seven thousand seven hundred ninety-one (7791), seventy-eight hundred nineteen (7819), seven thousand eight hundred twenty-nine (7829), and seven thousand eight hundred thirty (7830) of the compiled code of Iowa, and sections seven thousand eight hundred thirty-two-a one (7832-a1) to seven thousand eight hundred thirty-two-a four (7832-a4), inclusive, of the supplement to said code, relating to wills and letters of administration, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend Sec. 3-a2, by striking out of line 3 the words "an official" and inserting in lieu thereof the word "a".

Amend Sec. 3-a2, by striking out the following words at the close of said section: ", or by such other manner as the court may direct".

Amend Sec. 3-a3, by striking out of line 1 the words "or other prescribed service" and by inserting after the word "publication" the word "and".

Amend the bill by striking out section four (4) thereof.

C. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 266, a bill for an act to amend, revise, and codify chapters six (6) and seven (7) of title twenty-eight (28) of the compiled code of Iowa, and of the supplement to said code, and sections seventy-four hundred eighty-three (7483), ninety-three hundred (9300), and ninety-four hundred twenty-one (9421) of the compiled code of Iowa, relating to jurors, beg leave to report they have had 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. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 247, a bill for an act to amend, revise, and codify section eighty-five hundred eighty-two (8582) of the compiled code of Iowa, relating to carrying dangerous weapons and permits 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, and when so amended the bill do pass:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"That section eighty-five hundred seventy-five (8575) of the compiled code of Iowa be amended, revised, and codified to read as follows:

Section 1. If any person shall wilfully draw or point a pistol, revolver or gun at another, he shall be guilty of a misdemeanor, and be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail not more than thirty (30) days; but this section shall not apply to police officers or other persons whose duty it is to execute process or warrants, or make arrests.

That sections eighty-five hundred seventy-eight (8578) to eighty-five hundred eighty-eight (8588), both inclusive, of the compiled code of Iowa be amended, revised, and codified to read as follows:

Sec. 2. The sheriff of any county may issue a permit, limited to the time which shall be designated therein, to carry concealed a revolver, pistol or pocket billy, provided that in the judgment of said sheriff such permit shall be necessary for service while on official duty or for legal protection of life or property.

Sec. 3. Each such permit shall, unless revoked by notice in writing sent by registered mail to the permit holder by the sheriff issuing same, expire on December thirty-first, following the issuance.

Sec. 4. The sheriff shall keep a record showing the names and addresses of all persons to whom permits shall have been issued, together with the dates of issuance and expiration of such permits.

Sec. 5. It shall be the duty of the sheriff to issue a permit to go armed with a revolver, pistol or pocket billy, to all peace officers.

Sec. 6. Before any permit to go armed with a revolver, pistol or pocket billy is granted, an application therefor shall be filed with the sheriff. Permits may be issued only on personal application therefor, except, that chiefs of police may make application for permits for members of their respective departments, and owners, managing officers or superintendents of banks, trust companies, mining, transportation, manufacturing and mercantile companies or establishments may make such application for and in behalf of their employees. The application shall be in writing and state the full name, residence, age, place and nature of the employment or business of the person to whom it is proposed to grant the permit. The application shall be signed by the person making application. The permit shall be issued to the individual whom it permits to go armed and shall not be transferable.

Sec. 7. Whenever a permit is issued to any person to carry concealed weapons by virtue of such person being a peace officer, the right of such person to carry any of said weapons shall cease when said person ceases to be a peace officer. The sheriff may at any time revoke any permit issued by him.

Sec. 8. It shall be the duty of any person armed with a revolver, pistol or pocket billy concealed upon his person to have in his immediate possession the permit provided for in this chapter and to produce same for inspection at the request of any peace officer. Failure to so produce such permit shall constitute a misdemeanor.

That section eighty-five hundred ninety-two (8592) of the compiled code of Iowa be amended, revised, and codified to read as follows:

Sec. 9. Every person selling revolvers, pistols, pocket billies and other weapons of a like character which can be concealed on the person, whether such person is a retail dealer, pawnbroker or otherwise, shall report within twenty-four (24) hours to the county recorder, the sale of any revolver, pistol or pocket billy and in such report shall set forth the time of selling, age, occupation, place of employment or business, name and residence of such purchaser of said weapon or weapons, together with the number, make and other marks of identification of such weapon or weapons, and the recorder on receipt of such information shall make a permanent record of the same in a book specially kept for that purpose.

Sec. 10. In all prosecutions on the charge of carrying a concealed weapon without a permit, proof that no permit had been issued to the defendant in the county in which the offense was alleged to have been committed shall be prima facie evidence that the defendant had no permit to carry a concealed weapon.

Amend by striking out all of the title and inserting in lieu thereof the following:

"A bill for an act to amend, revise, and codify sections eighty-five hundred seventy-five (8575), eighty-five hundred seventy-eight (8578) to eighty-five hundred eighty-eight (8588), both inclusive, and eighty-five hundred ninety-two (8592) of the compiled code of Iowa, relating to the use and carrying of dangerous weapons and permits therefor.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 254, a bill for an act to amend, revise, and codify chapter seven (7) of title twenty-four (24), sections eighty-four hundred twenty-nine (8429) and eighty-four hundred thirty (8430) of the compiled code of Iowa, and sections eighty-four hundred twenty-seven (8427) and eighty-four hundred twenty-eight (8428) of the supplement to said code, relating to bonds for the performance of contracts for public improvements, and to the rights of persons who furnish labor or materials on such improvements, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

(1) Amend section one (1) by inserting after the word "feed" in line thirteen (13) the word ", provisions".

(2) Amend section two (2) by adding thereto the following:

"In event the surety on said bond is other than a surety company authorized to do business in Iowa, such surety must be a resident of the state, worth double the amount to be secured beyond the amount of his debts and must have property liable to execution in the state equal to double the sum secured. When there are two or more sureties other than corporate signing the same bond they must in the aggregate have the qualifications provided in this section."

(3) Amend section five (5) by adding thereto the following:

"Except that in contracts where no part of the contract price is paid until after the completion of the public improvement the amount of said bond may be fixed at not less than twenty-five per cent (25%) of the contract price."

(4) Amend section ten (10) by striking out of line two (2) the word and figures "sixty (60)" and substituting in lieu thereof the word and figures "thirty (30)".

Also amend section ten (10) by striking out of line five (5) the word and figures "sixty (60)" and substituting in lieu thereof the word and figures "thirty (30)".

(5) Amend section twelve (12) by striking all of said section and substituting in lieu thereof the following:

"Payments made under contracts for the construction of public improvements, unless provided otherwise by law, shall be made on the basis of monthly estimates of labor performed and material delivered; said payments to be made for not more than ninety per cent (90%) of said estimates and to be so made that at least ten per cent (10%) of the contract price will remain unpaid at the date of the completion of the contract, anything in the contract to the contrary notwithstanding."

(6) Amend section thirteen (13) by striking out of line three (3) the words and figures "twenty per cent (20%)" and substituting in lieu thereof the words and figures "ten per cent (10%)".

(7) Amend section fourteen (14) by striking all of said section and substituting in lieu thereof the following:

"Sec. 14. Retention of unpaid funds.

Said fund shall be retained by the public corporation for a period of thirty (30) days after the completion and final acceptance of the improvement. If at the end of said thirty (30) day period claims are on file as herein provided the public corporation shall continue to retain from said unpaid funds a sum not less than double the total amount of all claims on file."

(8) Amend by striking out all of section fifteen (15).

(9) Amend section sixteen (16) by striking out of line four (4) the word and figures "sixty (60)" and substituting therefor the word and figures "thirty (30)" and by inserting in line six (6) following the word "equity" the following: "in the county where the improvement is located".

C. F. CLARK, *Chairman.*

Report adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 29, 99, 23, 195 and 292.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### REPORT OF CONFERENCE COMMITTEE CONSIDERED

The report of the conference committee on House File No. 102, found in the Journal of February 4th, was taken up and considered.

Johnson of Dickinson moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee on House File No. 102 and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of Webster	Frahm	Lovrien	Saunders
Blume	Garber of Adair	Mathews	Schirmer
Bradley	Gilbert	Matthiesen	Scott of Appanoose
Brady	Gilmore	Miller	Scott of Fremont
Brittain	Grimwood	Moen	Slemmons
Carter	Hattendorf	Napier	Smith of Chickasaw
Children	Healy	Natvig	Smith of Lucas
Clark	Held	Oliver	Stookesberry
Colbert	Hempel	Olson	Storey
Cole	Henderson	Orr	Strippel
Criswell	Hollis	Parsons	Ulstad
Donhowe	Huff	Patterson	Venard
Dooley	Johnson	Peterson	Vincent
Doolittle	King	Powers	Wamstad
Dotts	Knutson	Quirk	Williams
Edge	Leonard	Rassler	Wilson
Edson	Letts	Rhinehart	Wolfe
Elliott	Lichty	Robson	Mr. Speaker—77
Fackler	Lieberknecht	Rust	
	Long	Sampson	

The nays were: .

Ontjes                      Schulte—2

Absent or not voting:

Aiken	Diltz	Gibson	Hauge
Berry	Forsling	Gilbertson	Himebauch
Blake	Gallagher	Graham	Lake
Buffington	Garber of Floyd	Hansen	McClune
Dewar	Gesman	Harrison	Noble

O'Donnell	Rankin	Stock
Potts	Rewoldt	Weber
Ramsey	Rumley	Yenter—29

The report of the conference committee on House File No. 102 and the amendments proposed by said conference committee were adopted.

#### CONSIDERATION OF BILLS

House File No. 220, a bill for an act to amend, revise, and codify sections six thousand eight hundred forty-one (6841) to six thousand eight hundred forty-three (6843), inclusive, six thousand eight hundred forty-five (6845) to six thousand eight hundred eighty-seven (6887), inclusive, six thousand eight hundred eighty-nine (6889), six thousand eight hundred ninety-one (6891) to six thousand eight hundred ninety-five (6895), inclusive, and six thousand nine hundred (6900) of the compiled code of Iowa, and sections six thousand eight hundred forty (6840), six thousand eight hundred forty-four (6844), six thousand eight hundred eighty-eight (6888), and six thousand eight hundred ninety (6890) of the supplement to said code, relating to municipal courts, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Gilbert of Marshall the amendments proposed by the committee, found in the Journal of February 1st, were adopted.

Oliver of Monona offered the following amendment:

Amend House File No. 220 by adding to section forty-nine (49) the following: "Provided, that no such grounds shall be purchased nor any building erected thereon until the question has been submitted to the people at a regular or special election, and it shall not be deemed to have carried unless it shall have received at least two-thirds of all the votes cast at such election.

On motion of Mr. Oliver the amendment was adopted.

Mr. Gilbert moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Lieberknecht	Sampson
Anderson of Webser	Garber of Adair	Long	Saunders
Berry	Garber of Floyd	Lovrien	Schirmer
Blake	Gilbert	Mathews	Schulte
Blume	Gilbertson	Miller	Scott of Appanoose
Bradley	Gilmore	Moen	Scott of Fremont
Brady	Graham	Napier	Slemmons
Brittain	Grimwood	Natvig	Smith of Chickasaw
Carter	Harrison	Noble	Smith of Lucas
Children	Hattendorf	Oliver	Stookesberry
Clark	Hauge	Olson	Storey
Colbert	Healy	Ontjes	Strippel
Cole	Held	Orr	Ulstad
Criswell	Hempel	Parsons	Venard
Diltz	Henderson	Patterson	Vincent
Donhowe	Himebauch	Peterson	Wamstad
Dooley	Hollis	Powers	Weber
Doolittle	Huff	Quirk	Williams
Dotts	Johnson	Rassler	Wilson
Edson	King	Rhinehart	Wolfe
Elliott	Knutson	Robson	Mr. Speaker—89
Fackler	Leonard	Rust	
	Letts		

The nays were, none.

Absent or not voting:

Buffington	Gesman	McClune	Rewoldt
Dewar	Gibson	Matthiesen	Rumley
Edge	Hansen	O'Donnell	Stock
Frahm	Lake	Potts	Yenter—19
Gallagher	Lichty	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 231, a bill for an act to amend, revise, and codify sections seven thousand four hundred forty-seven (7447), seven thousand four hundred fifty (7450), seven thousand four hundred fifty-one (7451), and seven thousand five hundred eighty-one (7581) of the compiled code of Iowa, relating to trial and judgment, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Clark of Linn the amendments proposed by the committee, found in the Journal of February 1st, were adopted.

Mr. Clark moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Frahm	Lieberknecht	Sampson
Anderson of	Garber of Adair	Long	Saunders
Webster	Garber of Floyd	Lovrien	Schirmer
Berry	Gilbert	Mathews	Schulte
Blake	Gilbertson	Miller	Scott of
Blume	Gilmore	Moen	Appanoose
Bradley	Graham	Napier	Scott of Fremont
Brady	Grimwood	Natvig	Slemmons
Brittain	Harrison	Noble	Smith of
Carter	Hattendorf	Oliver	Chickasaw
Children	Hauge	Olson	Smith of Lucas
Clark	Healy	Ontjes	Stookesberry
Colbert	Held	Orr	Storey
Cole	Hempel	Parsons	Strippel
Criswell	Henderson	Patterson	Ulstad
Diltz	Himebauch	Peterson	Venard
Donhowe	Hollis	Potts	Vincent
Dooley	Huff	Powers	Wamstad
Doolittle	Johnson	Quirk	Weber
Dotts	King	Rankin	Williams
Edson	Knutson	Rewoldt	Wilson
Elliott	Leonard	Rhinehart	Wolfe
Fackler	Letts	Robson	Mr. Speaker—92
Forsling	Lichty	Rust	

The nays were, none.

Absent or not voting:

Buffington	Gesman	McClune	Rassler
Dewar	Gibson	Matthiesen	Rumley
Edge	Hansen	O'Donnell	Stock
Gallagher	Lake	Ramsey	Yenter—16

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 165, a bill for an act to amend, revise, and codify sections three thousand four hundred forty-three (3443) and three thousand seven hundred forty-nine (3749) of the compiled code of Iowa, and sections three thousand seven hundred fifty-two (3752) and three thousand seven hundred sixty (3760) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Forsling of Woodbury the amendments proposed by the committee, found in the Journal of February 1st, were adopted.

The following amendment filed by Children of Pottawattamie was taken up and considered:

Amend Senate File No. 165 as follows:

Amend section six (6) by striking out of lines three (3) and four (4) the words "be paid the library with which the contract is made" and inserting in lieu thereof the words "create a fund to fulfill its obligation under the contract".

On motion of Mr. Children the amendment was adopted.

Oliver of Monona offered the following amendment and moved its adoption:

Amend section four (4) of Senate File No. 165 by inserting in line three (3) after the word "electors" the following words: "voting at such election".

Edson of Buena Vista offered the following amendment and moved that it be substituted for the amendment proposed by Oliver of Monona:

Amend section four (4) of Senate File No. 165 by inserting in line four (4) after the word "town" the words "voting at such election".

The amendment was substituted for the amendment proposed by Oliver of Monona.

Diltz of Polk offered the following amendment to the substitute amendment proposed by Edson of Buena Vista and moved its adoption:

Amend the amendment by Edson of Buena Vista by inserting between the words "voting" and "at" the words "on the proposition".

Amendment to the amendment adopted.

On motion of Mr. Edson the substitute amendment, as amended, was adopted.

Forsling of Woodbury moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Clark	Fackler	Grimwood
Anderson of	Colbert	Forsling	Hansen
Webster	Criswell	Frahm	Harrison
Berry	Donhowe	Garber of Adair	Hattendorf
Blake	Dooley	Garber of Floyd	Held
Blume	Doolittle	Gibson	Hempel
Bradley	Dotts	Gilbert	Henderson
Brady	Edge	Gilbertson	Himebauch
Brittain	Edson	Gilmore	Hollis
Children	Elliott	Graham	Huff

Johnson	Natvig	Rhinehart	Stookesberry
King	Noble	Robson	Storey
Knutson	Oliver	Rust	Strippel
Leonard	Olson	Sampson	Ulstad
Letts	Ontjes	Saunders	Venard
Lichty	Orr	Schirner	Vincent
Lieberknecht	Parsons	Schulte	Wamstad
Long	Patterson	Scott of	Weber
Lovrien	Peterson	Appanoose	Williams
Mathews	Powers	Scott of Fremont	Wilson
Matthiesen	Quirk	Slemmons	Mr. Speaker—90
Miller	Rankin	Smith of Lucas	
Moen	Rassler	Smith of	
Napier	Rewoldt	Chickasaw	

The nays were, none.

Absent or not voting:

Buffington	Gallagher	McClune	Stock
Carter	Gesman	O'Donnell	Wolfe
Cole	Hauge	Potts	Yenter—18
Dewar	Healy	Ramsey	
Diltz	Lake	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SPECIAL ORDER NO. 1

House File No. 110, a bill for an act to amend, revise, and codify sections two thousand six hundred fifty-three (2653), and two thousand six hundred fifty-eight (2658) of the compiled code of Iowa, and sections two thousand six hundred fifty (2650) and two thousand six hundred sixty (2660) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up for consideration.

Hauge of Polk moved the adoption of the amendments proposed by the committee, found in the Journal of January 17th.

Carter of Hardin asked for a division of the amendments.

Committee amendment No. 1, as follows, was taken up for consideration:

Amend section one (1) by striking out all of subsection two (2); also by renumbering subsection three (3) as two (2).

On the question "Shall the amendment be adopted?" a roll call was demanded.

## The ayes were:

Aiken	Garber of Adair	Long	Sampson
Anderson of	Garber of Floyd	Lovrien	Saunders
Webster	Gibson	Mathews	Schirmer
Berry	Gilbert	Matthiesen	Schulte
Blake	Gilbertson	Miller	Scott of
Blume	Gilmore	Moen	Appanoose
Bradley	Graham	Napier	Scott of Fremont
Brady	Grimwood	Natvig	Slemmons
Brittain	Hansen	Noble	Smith of
Carter	Harrison	Oliver	Chickasaw
Children	Hattendorf	Olson	Smith of Lucas
Clark	Hauge	Ontjes	Stock
Colbert	Held	Orr	Stookesberry
Cole	Hempel	Parsons	Storey
Criswell	Henderson	Patterson	Strippel
Diltz	Himebauch	Potts	Ulstad
Donhowe	Hollis	Powers	Venard
Dooley	Huff	Quirk	Vincent
Doolittle	Johnson	Rankin	Wamstad
Dotts	King	Rassler	Weber
Edson	Leonard	Rewoldt	Williams
Fackler	Letts	Rhinehart	Wilson
Forsling	Lichty	Robson	Wolfe
Frahm	Lieberknecht	Rust	Mr. Speaker—93

## The nays were:

Elliott—1

## Absent or not voting:

Buffington	Gesman	McClune	Rumley
Dewar	Healy	O'Donnell	Yenter—14
Edge	Knutson	Peterson	
Gallagher	Lake	Ramsey	

Committee amendment No. 1 was adopted.

Committee amendment No. 2, as follows, was taken up for consideration:

Amend section one (1), line seven (7), by striking out the words and figures "one hundred dollars (\$100.00)" and inserting in lieu thereof the words and figures "ninety dollars (\$90.00)".

On the question "Shall the amendment be adopted?" a roll call was demanded.

## The ayes were:

Aiken	Brady	Donhowe	Frahm
Anderson of	Brittain	Dooley	Garber of Adair
Webster	Children	Doolittle	Garber of Floyd
Berry	Clark	Dotts	Gibson
Blake	Colbert	Fackler	Gilbertson
Blume	Cole	Forsling	Gilmore

Hansen	Lovrien	Powers	Smith of Lucas
Harrison	Mathews	Quirk	Stookesberry
Hattendorf	Miller	Rassler	Storey
Hauge	Napier	Rewoldt	Strippel
Healy	Natvig	Robson	Ulstad
Hempel	Noble	Saunders	Venard
Henderson	Oliver	Schirmer	Vincent
Huff	Olson	Schulte	Wamstad
Johnson	Ontjes	Scott of	Weber
King	Orr	Appanoose	Wolfe
Knutson	Parsons	Scott of Fremont	Mr. Speaker—74
Leonard	Patterson	Slemmons	
Letts	Peterson	Smith of	
Long	Potts	Chickasaw	

The nays were:

Bradley	Gilbert	Matthiesen	Stock
Carter	Graham	Moen	Williams
Criswell	Grimwood	Rankin	Wilson—21
Edge	Held	Rbinehart	
Edson	Himebauch	Rust	
Elliott	Hollis	Sampson	

Absent or not voting:

Buffington	Gesman	McClune	Yenter—13
Dewar	Lake	O'Donnell	
Diltz	Lichty	Ramsey	
Gallagher	Lieberknecht	Rumley	

Committee amendment No. 2 was adopted.

Committee amendment No. 3, as follows, was taken up for consideration:

Amend section three (3), line four (4), by striking out after the word "law" the comma (,) and the word "and", and by inserting in lieu thereof the following: "; also".

Committee amendment No. 3 adopted.

The following amendment filed by Oliver of Monona was taken up for consideration:

Amend House File No. 110, section nine (9), by adding to line five (5) after the word "purposes" the following: ", provided, however, that any election called by the board of directors of any school corporation for the purpose of voting on the question of issuing school bonds shall be deemed to have carried when it shall receive an affirmative vote equal to at least sixty (60) per cent of all votes cast on said proposition at such election".

Mr. Oliver moved the adoption of the amendment.

Stookesberry of Davis moved the previous question as applied to the pending amendment.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Gilbertson Harrison	Miller Natvig	Rassler Rewoldt
Berry	Hattendorf	Noble	Robson
Blume	Hempel	Oliver	Schulte
Brittain	Henderson	Ontjes	Scott of
Children	Huff	Orr	Appanoose
Donhowe	Johnson	Parsons	Smith of Lucas
Dooley	King	Patterson	Stookesberry
Fackler	Leonard	Peterson	Ulstad
Frahm	Lieberknecht	Potts	Venard
Garber of Floyd	Long	Powers	Wolfe
Gibson	Lovrien	Quirk	Mr. Speaker—46

The nays were:

Aiken	Edson	Hollis	Saunders
Blake	Elliott	Knutson	Schirmer
Bradley	Forsling	Letts	Scott of Fremont
Brady	Garber of Adair	Lichty	Smith of
Carter	Gilbert	Mathews	Chickasaw
Clark	Gilmore	Matthiesen	Stock
Colbert	Graham	Moen	Storey
Cole	Grimwood	Napier	Strippel
Criswell	Hansen	Olson	Vincent
Diltz	Hauge	Rankin	Weber
Doolittle	Healy	Rhinehart	Williams
Dotts	Held	Rust	Wilson—50
Edge	Himebauch	Sampson	

Absent or not voting:

Buffington	Gesman	O'Donnell	Slemmons
Dewar	Lake	Ramsey	Wamstad
Gallagher	McClune	Rumley	Yenter—12

Amendment offered by Oliver of Monona was rejected.

The following amendment filed by Clark of Linn was taken up for consideration:

Amend section one (1) by striking from line ten (10) thereof the words and figures "eighty dollars (\$80.00)" and substituting in lieu thereof the words and figures "seventy dollars (\$70.00)".

Mr. Clark moved the adoption of the amendment.

Anderson of Webster moved the previous question as applied to the pending amendment and the main bill.

Motion prevailed.

On the question "Shall the amendment offered by Clark of Linn be adopted?" a roll call was demanded.

## The ayes were:

Anderson of Webster	Garber of Floyd Gibson	Miller Moen	Scott of Appanoose
Berry	Gilbertson	Napier	Smith of Chickasaw
Blake	Hansen	Natvig	Smith of Lucas
Blume	Harrison	Oliver	Stookesberry
Brittain	Hattendorf	Olson	Storey
Clark	Healy	Ontjes	Ulstad
Colbert	Hempel	Orr	Vincent
Donhowe	Henderson	Parsons	Wamstad
Dooley	Huff	Peterson	Weber
Dotts	Johnson	Quirk	Wolfe
Fackler	Leonard	Rassler	Mr. Speaker—55
Forsling	Letts	Robson	
Frahm	Long	Schirmer	
Garber of Adair	Mathews	Schulte	

## The nays were:

Aiken	Elliott	Lieberknecht	Sampson
Bradley	Gilbert	Lovrien	Saunders
Brady	Graham	Matthiesen	Scott of Fremont
Carter	Grimwood	Noble	Slemmons
Children	Hauge	Patterson	Stock
Cole	Held	Potts	Strippel
Criswell	Himebauch	Powers	Venard
Diltz	Hollis	Rankin	Williams
Doolittle	King	Rewoldt	Wilson—42
Edge	Knutson	Rhinehart	
Edson	Lichty	Rust	

## Absent or not voting:

Buffington	Gesman	McClune	Rumley
Dewar	Gilmore	O'Donnell	Yenter—11
Gallagher	Lake	Ramsey	

The amendment by Clark of Linn was adopted.

Hauge of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Aiken	Diltz	Grimwood	King
Anderson of Webster	Donhowe	Hansen	Knutson
Berry	Dooley	Harrison	Leonard
Blake	Dotts	Hattendorf	Letts
Blume	Edge	Hauge	Lichty
Bradley	Fackler	Healy	Lieberknecht
Brady	Forsling	Held	Long
Brittain	Frahm	Hempel	Lovrien
Carter	Garber of Adair	Henderson	Mathews
Clark	Gilbert	Hollis	Matthiesen
Colbert	Gilbertson	Huff	Miller
	Graham	Johnson	Moen

Napier	Potts	Scott of	Venard
Natvig	Powers	Appanose	Vincent
Noble	Quirk	Scott of Fremont	Wamstad
Oliver	Rankin	Smith of	Weber
Olson	Rassler	Chickasaw	Wilson
Ontjes	Rhinehart	Smith of Lucas	Wolfe
Orr	Robson	Stock	Mr. Speaker—82
Parsons	Saunders	Storey	
Patterson	Schirmer	Strippel	
Peterson	Schulte	Ulstad	

## The nays were:

Children	Edson	Rewoldt	Stookesberry
Criswell	Elliott	Rust	Williams—11
Doolittle	Himebauch	Slemmons	

## Absent or not voting:

Buffington	Garber of Floyd	Lake	Rumley
Cole	Gesman	McClune	Sampson
Dewar	Gibson	O'Donnell	Yenter—15
Gallagher	Gilmore	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House 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. 203, a bill for an act to amend, revise, and codify the law relating to cooperative associations.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 27, a bill for an act to amend, revise, and codify the law relating to the right of a voter to vote when disabled or when absent from the polls on election day, or when engaged in the service of the government of the United States, or of this state.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 4, a bill for an act to amend, revise, and codify the law relating to copies of laws taking effect by publication.

Also, that as members of the conference committee on Senate File No. 153, a bill for an act relating to municipal corporations, the President has appointed on the part of the Senate, Senators Baird, Fulton, Romkey and Horchem.

Also, that the Senate has adopted the following concurrent resolution, in which the concurrence of the House is asked:

Senate Concurrent Resolution No. 12, relating to a joint convention of the Senate and House on Wednesday, February 6th, at eleven o'clock a. m.,

for exercises in commemoration of the life of our late former President Woodrow Wilson.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 116, a bill for an act relating to education and the Iowa geological survey.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 26, a bill for an act to amend, revise, and codify the law relating to the canvass of votes at elections.

L. W. AINSWORTH, *Secretary.*

#### SENATE AMENDMENTS TO HOUSE FILE NO. 116

1. Strike out of line one (1) in section eight (8) the words "and publication".

2. Strike out of line three (3) of section ten (10) the word "actual" and insert in lieu thereof the word "salaries".

3. Amend by inserting after the word "amount" in line 8 of section 10 the following: "or so much thereof as may be necessary".

#### SENATE AMENDMENTS TO HOUSE FILE NO. 26

Amend by inserting following the article "a" in line 3 of section 5 the word "signed"; also strike out the comma following the word "cast" in line 4 and substitute a period therefor; also strike line 5 from said section.

Amend by striking out section 8 and substituting therefor the following:

"If the error be in relation to a district or state officer, it shall be certified with the number of the excess to the state canvassers. If the error affects the result of the election, the canvass shall be suspended and a new vote ordered in the precinct where the error occurred. When there is a tie vote due to such an excess, there shall be a new election. No person residing in another precinct at the time of the general election shall be allowed to vote at such special election. When the new vote is taken and returned, the canvass shall be completed."

Amend by inserting as section 9 the following:

"When the canvass is completed one (1) of the judges shall publicly announce the total number of votes received by each of the persons voted for, the office for which he is designated, as announced by the clerks, and the number of votes for, and the number of votes against, any proposition which shall have been submitted to a vote of the people."

#### SENATE MESSAGES CONSIDERED

Senate File No. 203, a bill for an act to amend, revise, and

codify sections five thousand three hundred ninety-eight (5398) and five thousand four hundred one (5401) of the compiled code of Iowa, relating to cooperative associations.

Read first and second times and referred to committee on private corporations.

Senate File No. 27, a bill for an act to amend, revise, and codify chapter nine (9) of title four (4) of the compiled code of Iowa, and of the supplement to said code, relating to the right of a voter to vote when disabled or when absent from the polls on election day, or when engaged in the service of the government of the United States, or of this state.

Read first and second times and referred to committee on elections.

#### SENATE CONCURRENT RESOLUTION NO. 12 CONSIDERED

By unanimous consent, Senate Concurrent Resolution No. 12 was taken up for consideration at this time.

*Whereas*, Former President Woodrow Wilson will be laid to rest, Wednesday, February 6th, 1924, and

*Whereas*, Suitable and fitting memorial services will be held in all parts of the civilized world, therefore

*Be It Resolved by the Senate, the House concurring*, That a joint convention of the two houses of the 40th General Assembly, in Extraordinary Session, be assembled and held on Wednesday, February 6th, at eleven o'clock a. m. for the purpose of conducting appropriate exercises in commemoration of the life, character and public services of our late beloved former war president.

On motion of Mr. Potts the House concurred in the Senate concurrent resolution.

#### WILSON MEMORIAL COMMITTEE

The Speaker announced the appointment of the following members of a special committee, to act in conjunction with a similar committee in the Senate, to arrange for the Wilson memorial services to be held Wednesday, February 6th: Gallagher of Iowa, Potts of Lee and Lovrien of Humboldt.

#### AMENDMENTS FILED

Diltz of Polk filed the following amendments to Senate File No. 155:

Amend the committee amendments to Senate File No. 155 as follows:  
Amend by striking subsection six (6) from paragraph one (1) of section five (5).

Amend Senate File No. 155 as follows:

Amend section 7 by inserting before the word "fitness" in line 6 of such section the words "physical and mental".

Further amend section 7 by adding thereto the following:

"In all examinations and appointments under the provisions of this chapter, honorably discharged soldiers, sailors or marines of the regular or volunteer army or navy of the United States shall be given the preference, if otherwise qualified."

Amend by striking all of section 11 and inserting in lieu thereof the following:

"Except as otherwise provided, no person shall be appointed or employed in any capacity in the fire or police department, or any department which is governed by the civil service, until such person shall have passed a civil service examination as provided in this act, and has been certified to the city council as being eligible for such appointment; provided, however, that in cases of emergency, in which the peace and order of the city is threatened by reason of fire, flood, storm, or mob violence, making additional protection of life and property necessary, in which case the person having the appointing power may depute additional persons, without examination, to act as peace officers until such emergency shall have passed.

In no case shall any person be appointed or employed in any capacity in the fire or police department, or any department which is governed by civil service, unless such person:

1. Is a citizen of the United States and has been a resident of the city for more than one year, but such residence in the city shall not be a necessary qualification for appointment as chief of police or chief of fire department.
2. Is of good moral character.
3. Is able to read and write the English language.
4. Is not a liquor or drug addict.
5. Has not been convicted of a felony.
6. Has not borne arms against the United States government.
7. Has not claimed exemption from military service on account of being a conscientious objector."

Children of Pottawattamie filed the following amendments to Substitute for House File No. 54:

Amend Substitute for House File No. 54 as follows:

- (1) Amend section ten (10), line three (3), by striking out the words "mussels, clams, frogs," and by inserting after the word "animals" in line four (4) the words "or mussels, clams and frogs, except for bait,".

(2) Amend section thirteen (13) by adding thereto the following: "The fish and game protection fund shall be paid out only on verified vouchers approved by the state board of audit."

(3) Amend section sixteen (16), line eight (8), by inserting between the words "nor" and "upon" the word "hunt".

(4) Amend section seventeen (17), line fourteen (14), by striking out the words "or resident alien,". Also amend by adding the following subsection:

"4. No resident alien shall be granted a hunting license in this state."

(5) Amend section nineteen (19), line fourteen (14), by inserting between the words "all" and "hunting" the word "nonresident".

(6) Insert between sections twenty-one (21) and twenty-two (22) the following:

"Sec. 21-a1. For the purposes of the next succeeding section the state shall be divided into two zones as follows:

1. The northern zone shall embrace all counties of the state north of the township line which divides the townships of Range 81 N. from those of Range 82 N. except such portions of Cedar and Clinton counties as are north of such township line.

2. The southern zone shall embrace all counties south of the township line which divides the townships of Range 81 N. from those of Range 82 N. and those portions of Cedar and Clinton counties lying north of said township line."

(7) Amend section twenty-two (22) by striking out all of said section and substituting in lieu thereof the following:

"It shall be unlawful for any person to take from the waters of the state:

1. Any salmon or trout from September first to April fourteenth.

2. Any black bass in the northern zone from December first to June fourteenth or in the southern zone from December first to May thirty-first.

3. Any pike, crappie, pickerel, catfish, perch, or any other game fish, in the northern zone from December first to May fourteenth, or in the southern zone from December first to April thirtieth.

All dates in this section are inclusive."

(8) Amend section twenty-five (25), line four (4), by inserting between the words "line," and "in" the words "or one line with two hooks,".

(9) Amend section twenty-five (25), line six (6), by adding after the word "spoonhook" and preceding the period (.) the following "or plug with not to exceed three single hooks or one three-hook gang".

(10) Amend section twenty-seven (27), lines two (2) and three (3), by striking out the words "not exceeding thirty (30) feet in length".

(11) Amend section thirty-five (35), line three (3), by inserting between the words "dog fish," and "and" the word "skipjack,".

(12) Amend section fifty-six (56) by striking out all of subsection seven (7).

(13) Amend section fifty-nine (59), line nine (9), by inserting between the words "decoys" and "may" the words "and duck or goose calls".

(14) Amend section sixty-one (61) by adding thereto the following sentence: "No rifle shall be used on the inland waters of the state."

(15) Amend section sixty-five (65), line four (4) of subsection one (1), by inserting between the words "blackbird," and "crow" the word "bluejay,".

Hauge of Polk moved that the House adjourn until 10:00 a. m. Wednesday.

Harrison of Pottawattamie moved to amend the motion by changing the hour from 10:00 a. m. to 9:30 a. m.

Amendment adopted.

The motion, as amended, prevailed and the House stood adjourned.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 6, 1924.

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

Prayer was offered by the Rev. L. A. Dale, pastor of the M. E. church, Pocahontas, Iowa.

Journal of February 5th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Dewar of Cherokee for the day, on request of Clark of Linn.

## PETITIONS

Hollis of Black Hawk presented a petition from citizens of Black Hawk county, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Hattendorf of Osceola presented a petition from citizens of Osceola county, protesting against the passage of any law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## REPORTS OF COMMITTEES

Edson of Buena Vista, 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. 125, a bill for an act to amend, revise and codify chapter eleven (11) of title eleven (11) of the compiled code of Iowa, and of the supplement to said code, relating to the destruction of weeds on private and 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 amended as follows, and when so amended the bill do pass:

Amend section two (2) by inserting before the word "and" in line 8 the following: "sow thistles (*souchus arvensis*)."

W. C. EDSON, *Chairman.*

Report adopted.

Healy of Hancock, from the committee on state educational institutions, submitted the following report:

MR. SPEAKER: Your committee on state educational institutions to

whom was referred Senate File No. 93, a bill for an act to amend, revise and codify sections two thousand three hundred ninety-six (2396), two thousand three hundred ninety-seven (2397), and two thousand four hundred fifteen (2415) of the compiled code of Iowa, relating 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 do pass.

E. P. HEALY, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on state educational institutions to whom was referred Senate File No. 91, a bill for an act to amend, revise, and codify sections two thousand three hundred forty-five (2345), two thousand three hundred forty-six (2346), two thousand three hundred fifty-two (2352), two thousand three hundred fifty-three (2353) of the compiled code of Iowa, and section two thousand three hundred fifty-four (2354) of the supplement to said code, relating to the state university and the work of the bacteriological laboratory 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, and when so amended the bill do pass:

Amend section six (6) by adding after the period (.) in line six (6) the following:

The appropriation of five thousand dollars (\$5,000.00) provided for the epidemiological laboratory in section twenty-three hundred forty-six-a one (2346-a1), supplement to the compiled code, to the state university is hereby made available for the use of the laboratory and the work provided for in section four (4)."

E. P. HEALY, *Chairman*.

Report adopted.

Carter of Hardin, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred Senate File No. 111, a bill for an act to amend, revise, and codify chapter thirty-one (31) of title ten (10) of the compiled code of Iowa and of the supplement to said code, 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 as follows, and when so amended the bill do pass:

Amend section 1 by striking out the last sentence thereof as follows: "In lieu of such attendance such child may attend upon equivalent instruction elsewhere than at school."

Amend section 4, line 2, by striking out the word and figures "fourteen (14)" and inserting in lieu thereof the word and figures "sixteen (16)".

L. V. CARTER, *Chairman*.

Report adopted.

Ulstad of Wright, from the committee on labor, submitted the following report:

MR. SPEAKER: Your committee on labor to whom was referred House File No. 44, a bill for an act to amend, revise and codify sections eight hundred eighty-two (882) and eight hundred eighty-four (884) to eight hundred ninety (890), inclusive, of the compiled code of Iowa, and section eight hundred eighty-eight (888) of the supplement to said code, relating to child labor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass. OSCAR ULSTAD, *Chairman*.

Report adopted.

Rankin of Lee, from the committee on railroads, submitted the following report:

MR. SPEAKER: Your committee on railroads to whom was referred Senate File No. 189, a bill for an act to amend, revise, and codify chapter two (2) of title sixteen (16) of the compiled code of Iowa, and of the supplement to said code, relating to commerce counsel, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section 1 by striking out the words "the senate" in line (5) and substituting in lieu thereof the words "two thirds of the members of the senate".

JNO. M. RANKIN, *Chairman*.

Report adopted.

Gibson of Clarke, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was rereferred House File No. 144, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-two (3342) to thirty-three hundred forty-four (3344), inclusive, thirty-three hundred forty-six (3346) and thirty-three hundred forty-seven (3347) of the compiled code of Iowa, and section thirty-three hundred forty-five (3345) of the supplement to said code, relating to relief for soldiers, sailors and marines, and amendments filed 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, and when so amended the bill do pass:

Amend section one (1), line one (1), by striking out the word and figure "one (1)" and inserting in lieu thereof the words and figures "one-half ( $\frac{1}{2}$ )".

Amend section eight (8), lines two (2) and three (3), by striking out the words "and apart from the graves of paupers", and inserting in lieu thereof the following: "and not in any cemetery or part thereof used exclusively for the burial of the pauper dead".

Also amend section eight (8), line five (5), by striking out the word "aforesaid".

D. M. GIBSON, *Chairman*.

Report adopted.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Storey of Warren, House File No. 116, a bill for an act to amend, revise, and codify sections two thousand seven hundred eighty-eight (2788) to two thousand seven hundred ninety-three (2793), inclusive, of the compiled code of Iowa, relating to education and the Iowa geological survey, with Senate amendments, was taken up and the amendments read and considered.

## SENATE AMENDMENTS

1. Strike out of line one (1) in section eight (8) the words "and publication".

2. Strike out of line three (3) of section ten (10) the word "actual" and insert in lieu thereof the word "salaries".

3. Amend by inserting after the word "amount" in line 8 of section 10 the following: "or so much thereof as may be necessary".

Mr. Storey 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:

Aiken	Gallagher	Lieberknecht	Sampson
Anderson of	Garber of Adair	Lovrien	Schirmer
Webster	Gibson	Mathews	Schulte
Berry	Gilbertson	Miller	Scott of
Blume	Graham	Moen	Appanoose
Bradley	Grimwood	Napier	Scott of Fremont
Brady	Hansen	Natvig	Slemmons
Brittain	Hattendorf	Noble	Smith of
Carter	Hauge	Oliver	Chickasaw
Children	Healy	Olson	Smith of Lucas
Clark	Held	Ontjes	Stock
Colbert	Hempel	Orr	Stookesberry
Cole	Henderson	Parsons	Storey
Criswell	Himebauch	Patterson	Strippel
Donhowe	Hollis	Peterson	Ulstad
Dooley	Huff	Powers	Venard
Doolittle	Johnson	Quirk	Weber
Dotts	King	Ramsey	Wilson
Edge	Knutson	Rankin	Wolfe
Edson	Leonard	Rewoldt	Mr. Speaker—83
Fackler	Letts	Robson	
Frahm	Lichty	Rust	

Absent or not voting:

Blake	Gesman	Matthiesen	Vincent
Buffington	Gilbert	O'Donnell	Wamstad
Dewar	Gilmore	Potts	Williams
Diltz	Harrison	Rassler	Yenter—25
Elliott	Lake	Rhinehart	
Forsling	Long	Rumley	
Garber of Floyd	McClune	Saunders	

The House refused to concur in the Senate amendments to House File No. 116.

#### CONSIDERATION OF BILLS

House File No. 200, a bill for an act to amend, revise, and codify sections five thousand ten (5010), fifty-two hundred thirty-nine (5239), fifty-two hundred forty (5240), fifty-two hundred forty-two (5242), fifty-two hundred forty-three (5243), fifty-two hundred forty-five (5245), fifty-two hundred forty-six (5246) and fifty-two hundred forty-nine (5249) of the compiled code of Iowa, relating to interurban railways, with report of committee recommending passage, was taken up for consideration.

Rhinehart of Dallas moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Gallagher	Long	Rust
Anderson of Webster	Garber of Adair	Lovrien	Sampson
Berry	Garber of Floyd	Mathews	Saunders
Blake	Gibson	Matthiesen	Schirmer
Blume	Gilbertson	Miller	Schulte
Bradley	Graham	Moen	Scott of
Brady	Grimwood	Napier	Appanoose
Brittain	Hansen	Natvig	Scott of Fremont
Buffington	Harrison	Noble	Slemmons
Carter	Hattendorf	O'Donnell	Smith of
Children	Hauge	Oliver	Chickasaw
Clark	Healy	Olson	Smith of Lucas
Colbert	Held	Ontjes	Stock
Cole	Hempel	Orr	Stookesberry
Criswell	Henderson	Parsons	Storey
Diltz	Himebauch	Patterson	Strippel
Dooley	Hollis	Peterson	U'lstad
Doolittle	Huff	Potts	Venard
Dotts	Johnson	Powers	Vincent
Edge	King	Quirk	Wamstad
Edson	Knutson	Rankin	Weber
Fackler	Letts	Rewoldt	Wolfe
Frahm	Lichty	Rhinehart	Mr. Speaker—92
	Lieberknecht	Robson	

The nays were, none.

Absent or not voting:

Dewar	Gesman	Leonard	Rumley
Donhowe	Gilbert	McClune	Williams
Elliott	Gilmore	Ramsey	Wilson
Forsling	Lake	Rassler	Yenter—16

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 198, a bill for an act to amend, revise, and

codify sections fifty-one hundred seventy-nine-a one (5179-a1) to fifty-one hundred seventy-nine-a thirteen (5179-a13), inclusive, of the supplement to the compiled code of Iowa, relating to regulation of common carriers in respect to schedules of rates and charges, with report of committee recommending passage, was taken up for consideration.

Mathews of Des Moines moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Frahm	Lieberknecht	Saunders
Anderson of	Gallagher	Long	Schirmer
Webster	Garber of Adair	Lovrien	Schulte
Berry	Garber of Floyd	Mathews	Scott of
Blake	Gibson	Matthiesen	Appanoose
Blume	Gilbertson	Miller	Scott of Fremont
Bradley	Graham	Moen	Slemmons
Brady	Grimwood	Napier	Smith of
Brittain	Hansen	Natvig	Chickasaw
Buffington	Harrison	Noble	Smith of Lucas
Carter	Hattendorf	O'Donnell	Stock
Children	Hauge	Oliver	Stookesberry
Clark	Healy	Olson	Storey
Colbert	Held	Ontjes	Strippel
Cole	Henderson	Parsons	Ulstad
Criswell	Hollis	Patterson	Venard
Diltz	Huff	Peterson	Vincent
Donhowe	Johnson	Powers	Wamstad
Dooley	King	Quirk	Weber
Doolittle	Knutson	Rankin	Wilson
Dotts	Leonard	Rhinehart	Wolfe
Edge	Letts	Robson	Mr. Speaker—88
Edson	Lichty	Rust	

The nays were, none.

Absent or not voting:

Dewar	Gilbert	McClune	Rewoldt
Elliott	Gilmore	Orr	Rumley
Fackler	Hempel	Potts	Sampson
Forsling	Himebauch	Ramsey	Williams
Gesman	Lake	Rassler	Yenter—20

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 119, a bill for an act to amend, revise, and codify chapter three (3) of title eleven (11) of the compiled code of Iowa, relating to the state highway commission and other officers charged with duties relating to highways, with report of committee recommending passage, was taken up and considered.

On request of Garber of Adair, unanimous consent having been obtained, action on Senate File No. 119 was deferred.

## SPECIAL ORDER NO. 1

The hour having arrived for Special Order No. 1, Substitute for House File No. 54, a bill for an act to amend, revise, and codify chapters fifteen (15) and sixteen (16) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to propagation and protection of fish, game, wild birds, and animals, was taken up for consideration.

On request of Dooley of Van Buren, unanimous consent having been obtained, action on the bill was deferred and it was made a special order for Thursday, February 7th, at 10:00 a. m.

Senate File No. 117, a bill for an act to amend, revise, and codify sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred sixteen (2816), twenty-eight hundred twenty-six (2826) to twenty-eight hundred thirty-four (2834), inclusive, and section twenty-nine hundred forty-three (2943) of the compiled code of Iowa and of the supplement to said code, relating to the establishment, vacation, and alteration of highways, to the erection and maintenance of bridges, and to the condemnation, establishment, and improvement of primary roads in cities and towns, with report of committee recommending amendment and passage, was taken up for consideration.

Sampson of Audubon moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint session.

Motion prevailed and the Speaker appointed as such committee, Sampson of Audubon, Johnson of Dickinson and Dooley of Van Buren.

Sampson of Audubon, from the committee appointed to notify the Senate that the House was ready to receive it in joint session, reported that the duty had been performed.

The report was accepted and the committee discharged.

The sergeant-at-arms announced the arrival of the President of the Senate, the Secretary of the Senate, and the honored body of the Senate.

The President of the Senate was escorted to the Speaker's station, the Secretary to the chief clerk's desk, and the members of the Senate took seats on the west side of the chamber.

## JOINT CONVENTION

As per concurrent resolution duly adopted, the joint convention was called to order, Lieutenant-governor John Hazamill, President of the Senate, presiding.

The President announced a quorum present and the joint convention duly organized.

Senator White moved that a committee of three be appointed to notify Governor Nathan E. Kendall and Hon. M. F. Healy that the joint convention was ready to receive them.

Motion prevailed and the President appointed as such committee, Senator White of Benton and Representatives Gilbert of Marshall and Moen of Lyon.

The committee reported and announced the arrival of Gov. Kendall and Hon. M. F. Healy.

Governor Kendall and Mr. Healy were escorted to the Speaker's station.

#### WILSON MEMORIAL SERVICES

The following program was carried out:

Invocation.....	Rev. Burtis R. MacHatton
Solo—"There Is No Death".....	Genevieve Wheat-Baal
Introduction.....	Gov. Nathan E. Kendall
Address.....	Hon. M. F. Healy, Ft. Dodge
Solo—"Lead Kindly Light".....	Genevieve Wheat-Baal

Harrison of Pottawattamie moved that the complete program of the memorial services and the remarks of each speaker be printed in the Journal.

Motion prevailed.

#### INVOCATION BY REV. B. R. MacHATTON, D. D.

Almighty God, Thou art our father's God. They trusted in Thee and were not put to shame. We rejoice that we can find a shelter under the shadow of Thy wing. We rejoice in the security that is offered to us in our midnights and in our noons. Thou wilt not leave us comfortless, Thou wilt come to us and hold fellowship with us along the way. Though clouds and darkness are round about Thee, justice and judgment are the habitation of Thy throne. And now, in this dark hour of our nation's sorrow, to whom can we go but unto Thee? Thou hast the words of eternal life. Vouchsafe Thy comforting and Thy guiding presence as we are met here in this tender and solemn memorial service. Thou hast put forth Thy hand and taken from among us one whom this nation had abundant reason to love and honor. At a time when the nations of the world were bewildered in mind and heart, Thou didst ordain him to be Thy servant of peace and justice. In a stormy time, when the peoples of the earth were confused, Thou didst call Thy servant, Woodrow Wilson, to guide them towards peace and good will. We thank Thee for what he accomplished in the midst of many and sore discouragements. We thank Thee for the valiant soul which remembered its bravery and held true to its ideal of righteousness; we thank Thee for his rare qual-

ities of mind and heart; we thank Thee that he knew how to suffer and be strong; we thank Thee for his gallant and sane leadership of our own beloved nation in times of great stress and danger; we thank Thee for the manliness of his manhood and for the grace of his soul which will leave his name an honor and a glory to us, his countrymen—an honor and a glory which will shine brighter and brighter as the years go by.

We pray Thy blessing and comfort upon the immediate family, those whose hearts today lean with a more than tender interest and affection toward the one who has gone. May they feel a certain comfort in knowing that their sorrow is the nation's sorrow.

Bless, we pray Thee, the President of the United States, the Governor of this commonwealth, and all those who are called to be the leaders of this nation. And may this nation strengthened, prosperous, made great, be great, not for itself alone, but for all mankind; and may the influence which it exerts among the nations of the earth be for liberty, for brotherhood, for truth and justice. So may Thy kingdom come and Thy will be done on earth as it is in heaven; for Thine is the kingdom and the power and the glory, forever and ever. Amen.

#### REMARKS OF HONORABLE NATHAN E. KENDALL

Mr. President, Mr. Speaker, Members of the Legislature, Citizens of Iowa:

The General Assembly of Iowa is at this hour convoked in joint session to render the tribute of the state to Woodrow Wilson who, throughout eight distracting years, occupied the most important public position in the civilized world. Without any executive experience, indeed without any experience in statecraft whatever, he was first summoned to the governorship of the state of New Jersey. His administration of the affairs of that great commonwealth was so adequate, so efficient, so progressive, that it commanded his nomination by his party to the Presidency of the Republic. The peculiar situation which existed in our politics in 1912 assured his overwhelming election, and at the expiration of four years his constituency, relying implicitly upon his ability, his integrity, and his Americanism, commissioned him with a renewed indorsement in 1916.

After the United States entered the war, he marshalled with marvelous sagacity and unremitting zeal the military power of a united people, and in his formal addresses he inspired his countrymen to irresistible fervor for freedom, for justice, for a brotherhood of nations safe for democracy. He was filled to overflowing with patriotic intensity, and as Wirt said of Henry arraigning despotism, he had only "to put out his hand and seize the thunderbolts of liberty as they went smoking by." He emerged from the successful conclusion of the unprecedented conflict the foremost man of all our world. Multitudes dissented from the program he proposed for the establishment of an international league, but none challenged his consecrated devotion to universal peace. Whatever may be your opinion or mine upon that debatable subject, the impartial verdict of history will be that all time has been enriched by the unswerving fidelity, the exalted vision, the transcendent idealism of Woodrow Wilson. And now he is dead, but dead he yet shall live,—live

as Washington lives, as Lincoln lives, as Roosevelt lives,—in the triumphant immortality of his illustrious achievements.

But I must not attempt a review of his eventful and dramatic life, nor a recital of his varied and abundant service. His eulogy will be pronounced by another whom I now present. I have the distinguished honor to introduce to you as your selected orator for this occasion, the Honorable M. F. Healy of Fort Dodge.

#### REMARKS OF HONORABLE M. F. HEALY

Governor Kendall, Members and Officers of the Assembly, Ladies and Gentlemen:

Nearly two thousand years ago a multitude gathered upon a hillside in Judea to listen to the sacred accents of the Saviour's voice. Of all the beautiful and inspiring sentences then uttered, there is one that has come to us hallowed by the recollection of the centuries, filled with tenderness, with love and with mercy: "Blessed are they who mourn, for they shall be comforted."

In all ages and times the respect shown by the living to the dead has been one of the tests of the civilization of peoples. This feeling of reverence and respect for those who have left our earthly scenes of trial and of suffering has been accounted for in different ways by scholars, scientists and theologians. The best thought of these men seems to be that this feeling comes from that feeling implanted in every human heart as to the immortality of the soul. There is in every human being, and there always has been, a yearning for a brighter and a happier land where sins and sorrows and wars shall be no more. Paganism and barbarism are filled with examples of devotion by the living to the dead, and Christianity has her noblest memorials in the monuments and epitaphs dedicated to her servants and her heroes. Forty years ago last Saturday Wendell Phillips, the great abolitionist of Massachusetts and New England, died. I was a student in a nearby college at the time, and next morning read in the Boston papers a poem containing a tribute to the memory of Wendell Phillips. I cut it out and memorized it and it has been in my memory ever since, and, my friends, how appropriate it is to the man whom we honor today:

"Come, brothers, here to the funeral  
But weep not, rather, rejoice  
For his fearless life and his fearless death  
And his clear unequalled voice,  
Like a silver trumpet sounding  
The note of human right,  
For his brave heart always ready  
To enter the weak one's fight;  
For his soul unmoved mid the mob's wild shout  
Or the social sneers, disgrace  
For his free-born spirit that knew no lines  
Between class, nor creed, nor race.  
Nay, not for him shall we weep,  
For the silver cord must be worn,

And the golden filets turned back at last,  
 And the dust to its earth returned.  
 And tears are never for those who die  
 With their face to their duty done;  
 But we mourn for the fledglings left on the waste  
 And the fields where the wild waves run."

Your governor has, in a beautiful tribute, sketched the character of Woodrow Wilson. His parents born in Ohio, he was born in Virginia, and spent his boyhood days in Georgia. He was six or seven years old, the village preacher's little boy, at Augusta, Georgia, when the solemn tramp of the triumphant march of Sherman's army passed within a few miles. He went to school, a sickly boy, and to an academy in North Carolina. His health gave way and he returned to his home and later on found his way to Princeton university. No scholastic records were broken there; the curriculum of the time was the hard, hard list of Latin, Greek, mathematics and the scriptures. He managed to pass the examinations, then entered a law school, was but an indifferent lawyer—his tastes were not along that line, and after opening an office in Atlanta, he abandoned it and became a teacher, first, in a young ladies' academy, as all girls' schools were called at that period. Later on, we find him at Princeton, a teacher with new ideas, a president of the university with new ideas, the ideas of democratizing the institution, that there should no longer be snobbery in the college yard. He was opposed to fraternities; opposed to the sons of the rich and the sons of the so-called quality hiving by themselves and snubbing and scorning their betters in the brilliant boys who were not favored by family or by wealth.

It was in a great struggle of this kind in which he was engaged when he was nominated and elected governor of New Jersey. Prior to that time he had written some works. He made an extended study of the English parliamentary system, as well as the so-called parliamentary systems of the past. Free government, how best to find it, how best to express it, and in this volume showed a decided preference for the English method of going to the country upon an adverse vote in the house of commons. Then as governor, a new man, a man who preached the doctrine of pitiless publicity in public affairs, the man who said that a boss in his party holding the power and patronage of a boss should not be United States senator because he was unfit and because in a former service he had disgraced his state. Something new in American politics. He won, and then came the presidency.

I was a delegate to the Baltimore convention in 1912, and it has often occurred to me since then how little we know of what the future has in store. Not a man who attended that convention had any idea, or gave a thought to the fact that we were approaching the very midnight of civilization; the midnight

"When graveyards yawned and hell itself breathes forth contagion to the world."

Scarcely two years passed from that nominating day in Baltimore when the chance murder of an Austrian prince in far away Serejova set

the world on fire and gave the excuse for a military oligarchy to mobilize the great armies that had been waiting for "the day."

The nomination of Wilson at Baltimore was providential, as we tremble at the thought of some of the other candidates of that convention having been chosen. A week prior to that convention another great political organization split over the nomination of President Taft, and Theodore Roosevelt became the nominee of the progressives. No delegate at either of those great conventions in Chicago gave a thought to the great conflict that burst upon the world late in July, 1914. The three nominees were all able, patriotic men, but Woodrow Wilson became the matchless spokesman of the American people.

Then came the long eight years. My friends, we honor ourselves when we get together on an occasion of this kind. Prior to this morning, the greatest personal honor that was given to me was, to be selected by my fellow townsmen last August to say the word in behalf of that community at the funeral of President Harding. I said then, and I say now, that an occasion of this kind teaches us the necessity and the beauty of being kind and gentle and forbearing to each other while the pulses beat and the blood still throbs from a beating heart. Better to say three sentences of kindness to the living than write a book about him when the grave has closed over him. You remember that passage from George Elliott in which she scourges this idea of tears and blessings for the dead and sneers and curses for the living:

"While the heart beats, bruise it; it is your only opportunity. While the eye can still turn toward you with timid moist entreaty, freeze it with an icy, unanswered glare. While the ear, that delicate messenger of the soul, can still take in the words of kindness, put it off with envious affectation of indifference. While the creative brain can still throb with a yearning for brotherly recognition, pass it by. But by and by the heart will be still; the eye will have ceased from all entreaty; the ear will be deaf and the brain will have ceased from all longing as well as from all want; then you may remember and pity the toil, the struggle and the failure."

What a bitter indictment to human nature is uttered in that sentiment. Many a tongue that was tipped with gall and tipped with poison in the last five years would give all if the words of unkindness and of bitterness could now be recalled. As it was true of Harding, so it is true of Wilson. Idealism was laughed at; men talked of the president being in the clouds and that he did not know human nature. None knew it better. He knew what this war had cost, and on a bed of agony in his home in Washington he echoed, while his tears were dimmed and his lips were trembling, the sentiment of President Harding at Hoboken. Standing there with the long tiers of the dead boys' coffins in front of him, he exclaimed: "This must not happen again." If it be idealism that is not of the worthy kind to pray for peace, to preach for peace, to beg of God Almighty for peace among the nations of the world and strive to attain it, then why teach our little children once a year to sing the sweetest song that was ever sung, the song of the angels sung over the stable in Bethlehem where the babe which was known as the Prince of

Peace was born. Harding died with his last spoken utterance and plea for an organization of the nations of the world in a great international court, and when all the bitternesses and passions of the hour and of the time and of the centuries have passed, history will speak of him and tell of what he asked in his dying breath—a world of peace and of law rather than a world of war. Wilson died with his last public utterance, the Armistice Day address over the radio, pleading for the same thing, under whatever name it may be called, hoping, pleading, dreaming and praying for the day when the nations of the earth should live in peace and in harmony. It is idealism. I have no patience with men in and out of politics who tell me that the world is still savage, that men are still savage, that it is useless to talk peace, and to say that it is useless to talk peace when there is no peace. That there is no more peace in the world than there is, is due to the United States. The dead president, as Lloyd George said the other day, could not walk over the little men. He says that big men will bear it to be walked over, but little men, never. And I have thought of our presidents; I will take them all in—surrounded as they are by every influence, surrounded as they are by charlatans, surrounded by men who “know what they want and know exactly how to get it,” to quote from a distinguished dead senator, that they must sometimes feel as the great Roosevelt felt, as Wilson felt, and as Harding felt many a time, and as Macbeth felt when the great interpreter of human passions and human actions put into his mouth the words describing his wrath at the false promises of the witches: “Infected be the air whereon they ride and damned be those who trust them.” Instead of abuse, instead of villification, instead of harping upon the little things, American citizenship demands that we should be behind our presidents. We should be behind them in every effort for human good, for everything that will make America greater and better and, to go back to the old expression, “to make our own country a better place in which to live.”

My friends, there is an old saying: “Of the dead, nothing except what is good.” An occasion of this kind would be largely a mockery unless there were some idea in it that we should forget the bitternesses and the passions of the passing hour. The time came when the shadow of a cross fell athwart President Wilson's life, and it lay there until the end. He had the long days and the longer nights running into weeks and months and years to look into the great spaces of eternity. They were not waste spaces for him. His mind went back to all the panorama, to all that had happened in the last ten years: the wonderful changes that have come, the struggles, the trials, the triumphs, the failures, and then there was consolation there. There was consolation in the fact that throughout Europe and the United States he had been the voice of peoples struggling to be free; that he had been the voice of men and women held in subjection and slavery—some for but a few years and some for the centuries, and they lifted up their hearts and their eyes to this new figure that put into living language for them the hopes and aspirations of men and women who have yearned and struggled to be free during all the long centuries, blood-stained centuries of

human effort and human endeavor to better the situation of the great masses of our people. Then this man who so expressed himself, this man with all his trials and his sufferings, this man who was doomed to live after the great triumph of the war and to see many of the objects in which he had pinned his faith and hope not carried out, there was something to him that makes me think of Job, and like holy Job in the faraway shadowy land of Uz six thousand years ago, I seem to hear President Wilson exclaiming in like triumphant tones: "I know that my Redeemer liveth and will raise me up on the last day in my own flesh." And down the long centuries that followed we hear him reverently repeat with the great Apostle Paul: "I have fought the good fight, I have run my course and have kept the faith." Not in presumption, not in pride and intolerance did he utter and feel these things, but with the humility of a child he uttered in his last and dying hours the consoling hope expressed in the lines of the great English churchman:

"Lead kindly light amid the encircling gloom,  
 Lead thou me on;  
 The night is dark and I am far from home,  
 Lead thou me on.  
 Keep thou my feet, I do not ask to see  
 The distant scene; one step enough for me.  
 I was not ever thus, nor prayed that thou  
 Shouldst lead me on;  
 I loved to choose my way and see, but now  
 Lead thou me on.  
 I loved the garish day, and spite of fears,  
 Pride ruled my will. Remember not past years.  
 So long thy power hath helped me, sure it now  
 Will lead me on  
 O'er moor and fen, or crag and torrent, 'till  
 The night is gone;  
 And with the morn those Angel faces smile,  
 Which I have loved long since and lost awhile."

And may that vision of the dead president, the dead scholar, the dead patriot, the dead lover of his kind be visualized to the full when the Father of us all who holds us in the hollow of his hand receives the tired and worn spirit, the tired and broken body of Woodrow Wilson.

Healy of Hancock moved that the joint convention be now dissolved. Motion prevailed.

#### HOUSE RESUMED SESSION

The House reconvened, Speaker Anderson in the chair.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the

House, he had signed in the presence of the House, the following bills: Senate Files Nos. 29, 99, 23, 195 and 292.

#### 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. 202, a bill for an act to amend, revise, and codify the law relating to corporate shares of stock.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 212, a bill for an act to amend, revise, and codify the law relating to certain special liens.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 202

Amend by striking out all of Sec. 1 thereof, and inserting in lieu thereof the following:

"Section 1. Amount paid—certificate void—penalty violation.

No certificate or shares of stock shall be issued, delivered or transferred by any corporation, officer or agent thereof, or by the owner of such certificate or shares, without having indorsed on the face thereof what amount or portion of the par value has been paid to the corporation issuing the same, and whether such payment has been in money or property. Any certificate of stock issued, delivered or transferred in violation of this section when the corporation has not received payment therefor at par in money or property at a valuation approved by the executive council, shall be void, and the issuance, delivery or transfer of each certificate shall be considered a separate transaction. Any person violating the provisions of this section, or knowingly making a false statement on such certificate, shall be fined not less than one hundred dollars nor more than five hundred dollars, and shall stand committed to the county jail until such fine and costs are paid."

Amend by striking out all of section 3 of the bill and renumbering the following sections.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 212

Amend section 27 line 3 by inserting preceding the word "notice" the words "actual or constructive".

Amend section 61, line 1 by striking therefrom "Any claimant of the property may release the lien" and inserting in lieu thereof the following: "Any claimant of personal property may release any lien thereon created by this act".

## AMENDMENTS FILED

Hauge of Polk filed the following amendments to the substitute for Senate Concurrent Resolution No. 8:

Amend the substitute for Senate Concurrent Resolution No. 8 as it appears on page 533 of the Journal, by striking from lines 4 and 5 the following: "the making of the tariff effective on those agricultural products, a portion of which is exported, by".

Also further amend by striking from lines 6, 7, 8 and 9, the following: "to buy such products at a price equal in purchasing power to that enjoyed by those products before the war, and to sell them abroad at the world price, the loss on such exported portion to be prorated back to the producer".

Also amend by substituting in lieu thereof the following: "as recommended by the Honorable Henry C. Wallace, secretary of agriculture, and as exemplified in the McNarey-Haugen bill now before congress."

Potts of Lee filed the following amendment to House File No. 114:

Amend House File No. 114 by striking out the words "secretary of state" following the word "the" in line six of section twenty-one and inserting in lieu thereof the following: "official in whose office the document originates".

Hauge of Polk filed the following amendment to Senate File No. 237:

Amend section two (2) of Senate File No. 237 by adding at the end of the section the following: "and only a child, spouse or parent may contest any will on the grounds stated in this section".

Brittain of Madison filed the following amendment to Senate File No. 117:

Amend Senate File No. 117 by striking out section six (6) and substituting therefor the following:

"The cost entailed by a change in a highway as provided in the preceding section shall be paid from the primary road fund in case the change is on a primary road. In case the change is on a county or township road the cost shall be paid either from the primary road fund or from the county road fund or from the county bridge fund at the discretion of the board of supervisors."

On motion of Natvig of Howard the House adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 7, 1924.

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

Prayer was offered by the Rev. Alfred T. Bishop, D. D., Clarinda, Iowa.

Journal of February 6th corrected and approved.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Rhinehart of Dallas, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 92, 166, 218 and 221.

CHARLES RHINEHART, *Acting Chairman House Committee.*  
F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 4 and 264.

C. F. LETTS, *Chairman House Committee.*  
F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## REPORT OF COMMITTEE

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 228, a bill for an act to amend, revise, and codify sections seven thousand one hundred sixty-three (7163), seven thousand one hundred seventy-one (7171) to seven thousand one hundred seventy-three

(7173), inclusive, seven thousand one hundred eighty (7180), seven thousand one hundred eighty-one (7181), seven thousand one hundred eighty-three (7183) to seven thousand one hundred eighty-five (7185), inclusive, and seven thousand one hundred eighty-nine (7189), of the compiled code of Iowa, relating to the manner of commencing 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 amended as follows, and when so amended the bill do pass:

(1) Amend section 2 by striking out of line 4 thereof the words "his wife" and inserting in lieu thereof the words "the spouse".

(2) Amend section 3 by inserting after the word "inmate" in line 1 thereof, the following: "of the department of the state university hospital for the medical and surgical treatment of indigent persons, of the psychopathic ward of said hospital or".

(3) Further amend said section 3 by changing the period (.) at the end of line 9 to a comma (,) and adding the following: "but upon the filing of an affidavit that said spouse, after diligent search and inquiry has been made, can not be found within this state, such spouse may be served with notice by publication as in the case of an original notice."

(4) Amend section 6 by inserting after the word "circulation" in line 4 thereof, the word "published".

C. F. CLARK, *Chairman.*

Report adopted.

#### SENATE CONCURRENT RESOLUTION NO. 8 CONSIDERED

Brady of O'Brien called up Senate Concurrent Resolution No. 8, with substitute amendment proposed by the committee on agriculture and found in the House Journal of January 29th, a resolution memorializing the president, cabinet officers and the congress of the United States to adjust the present economic inequalities between agriculture and other great industries of this country.

Criswell of Boone moved that action on the concurrent resolution be deferred.

Motion lost.

The amendment filed by Hauge of Polk on February 6th to the substitute proposed by the committee on agriculture was taken up for consideration.

Vincent of Guthrie moved to amend the amendment proposed by Hauge of Polk by striking from the last paragraph of said amendment the words "and as exemplified in the McNarey-Haugen bill now before congress".

## CONSIDERATION OF BILLS

## SPECIAL ORDER NO. 1

The hour having arrived for Special Order No. 1, Substitute for House File No. 54, a bill for an act to amend, revise, and codify chapters fifteen (15) and sixteen (16) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to propagation and protection of fish, game, wild birds, and animals, was taken up for consideration.

The following amendments filed on February 4th by Hollis of Black Hawk, as a substitute for the amendments filed by Dooley of Van Buren on January 24th, were taken up for consideration:

Amend by striking out section fourteen of the bill and substituting in lieu thereof the following:

"Sec. 14. License to hunt and fish.

No person shall hunt, pursue, kill or take any wild animal, bird or game in this state in any manner, or trap fur-bearing animals or game without first procuring a license.

No male person over the age of eighteen (18) years shall fish in any of the waters of the state without first procuring a fishing license; provided, however, no license shall be required from owners or tenants of farm lands, their wives, children or employees for hunting, trapping or fishing upon lands owned or occupied by them."

Ontjes of Grundy offered the following amendment to the substitute amendments offered by Hollis of Black Hawk:

Amend the substitute amendment proposed by Hollis of Black Hawk by striking from lines one (1) and two (2) of paragraph two (2) the words "any of the waters" and inserting in lieu thereof the words "the stocked lakes or stocked meandered streams".

Mr. Ontjes moved the adoption of the amendment to the substitute amendments and demanded a roll call.

On the question "Shall the amendment to the substitute amendments be adopted?"

The ayes were:

Anderson of	Criswell	Gilbert	Hollis
Webster	Diltz	Gilmore	Johnson
Blake	Donhowe	Hattendorf	King
Blume	Edge	Hauge	Knutson
Bradley	Edson	Healy	Letts
Children	Elliott	Hempel	Lichty
Clark	Forsling	Henderson	Lovrien
Colbert	Garber of Adair	Himebauch	McClune

Moen	Quirk	Rust	Venard
Oliver	Ramsey	Sampson	Vincent
Olson	Rankin	Saunders	Wolfe—52
Ontjes	Rewoldt	Schirmer	
Parsons	Rhinehart	Schulte	
Peterson	Robson	Storey	

## The nays were:

Brady	Grimwood	Noble	Stookesberry
Brittain	Hansen	O'Donnell	Strippel
Cole	Harrison	Orr	Ulstad
Dooley	Leonard	Patterson	Wamstad
Dotts	Lieberknecht	Rassler	Weber
Fackler	Long	Scott of	Williams
Frahm	Mathews	Appanoose	Wilson
Gallagher	Matthiesen	Scott of Fremont	Mr. Speaker—40
Garber of Floyd	Miller	Slemmons	
Gibson	Napier	Smith of Lucas	
Gilbertson	Natvig	Stock	

## Absent or not voting:

Aiken	Doolittle	Lake	Smith of
Berry	Gesman	Potts	Chickasaw
Buffington	Graham	Powers	Yenter—16
Carter	Held	Rumley	
Dewar	Huff		

The amendment to the substitute amendments was adopted.

Hauge of Polk offered the following amendment to the substitute amendment proposed by Hollis of Black Hawk:

Amend the substitute amendment proposed by Hollis of Black Hawk by adding thereto the following: "For the purpose of this section 'stock lake' shall mean a lake which has been stocked by the state or government by at least one car load of fish each year. 'Stocked meandered stream' shall mean that portion of any stream at the point and above which at least one car load of fish has been placed in the stream each year by the state or federal government."

Forsling of Woodbury moved that further action on Substitute for House File No. 54 be deferred until Friday, February 8th, at 10:00 a. m.

Motion lost.

Mr. Hauge moved the adoption of his amendment to the substitute amendments.

Amendment to substitute amendments lost.

Edson of Buena Vista offered the following amendment to the substitute amendments proposed by Hollis of Black Hawk and moved its adoption:

Amend the substitute amendments, as amended, by inserting between the words "stocked" and "lakes" in the last paragraph thereof the word "meandered".

Amendment adopted.

On the question "Shall the substitute amendments proposed by Hollis of Black Hawk, as amended, be substituted for the amendments proposed by Dooley of Van Buren?" a roll call was demanded.

The ayes were:

Blake	Gilbert	Letts	Saunders
Bradley	Gilmore	Lichty	Schirmer
Carter	Grimwood	Lovrien	Smith of
Children	Hansen	Moen	Chickasaw
Clark	Hauge	O'Donnell	Storey
Colbert	Healy	Olson	Strippel
Cole	Held	Ontjes	Venard
Dewar	Hempel	Peterson	Vincent
Diltz	Henderson	Quirk	Wamstad
Edge	Himebauch	Ramsey	Weber
Edson	Hollis	Rankin	Williams
Elliott	Johnson	Rhinehart	Wilson
Forsling	King	Robson	Mr. Speaker—57
Gallagher	Knutson	Rust	
Garber of Adair	Lake	Sampson	

The nays were:

Aiken	Fackler	Matthiesen	Rewoldt
Anderson of	Frahm	Miller	Schulte
Webster	Garber of Floyd	Napier	Scott of
Berry	Gibson	Natvig	Appanoose
Blume	Gilbertson	Noble	Scott of Fremont
Brady	Harrison	Oliver	Slemmons
Brittain	Hattendorf	Orr	Smith of Lucas
Buffington	Leonard	Parsons	Stock
Criswell	Lieberknecht	Patterson	Stookesberry
Dooley	Long	Potts	Ulstad
Dotts	Mathews	Rassler	Wolfe—42

Absent or not voting:

Donhowe	Graham	Powers
Doolittle	Huff	Rumley
Gesman	McClune	Yenter—9

The substitute amendments proposed by Hollis of Black Hawk, as amended, were substituted for the amendments proposed by Dooley of Van Buren.

On motion of Hollis of Black Hawk the substitute amendments, as amended, were adopted.

The following amendments filed by Knutson of Cerro Gordo were taken up and considered:

Amend Substitute for House File No. 54 as follows:

In section 13, line 16, insert the word "this" before the word "section" and strike out the figures "1117" and letters "C.C."

In section 19 place a period (.) after the word "lawful" in line 9. Strike out the words "and such" in line 9 following the word "lawful" and in lieu thereof insert "A".

In section 35 strike out lines 5 and 6, and renumber the remaining subsections of that section.

In section 38 strike out the figures "1924" in line 5, and insert the figures "1923".

In section 75 place a period (.) after the word "state" in line 5 and strike out all the remainder of the section.

The lines above stricken out are a repetition of section 43 of the bill.

By unanimous consent the amendment to section thirteen was withdrawn.

On motion of Mr. Knutson the amendments to sections nineteen (19), thirty-five (35), thirty-eight (38) and seventy-five (75) were adopted.

The following amendment filed by Criswell of Boone was taken up and considered:

Amend the substitute for House File No. 54 by striking out the word "auditor" wherever it occurs in said bill and inserting the word "recorder".

Mr. Criswell moved the adoption of the amendment and demanded a roll call.

On the question "Shall the amendment be adopted?"

The ayes were:

Anderson of	Garber of Adair	Lieberknecht	Robson
Webster	Garber of Floyd	Lovrien	Sampson
Blume	Gilbertson	Matthiesen	Saunders
Buffington	Harrison	Miller	Schirmer
Carter	Hattendorf	Moen	Scott of Fremont
Children	Hauge	Napier	Slemmons
Colbert	Healy	Natvig	Smith of
Criswell	Held	O'Donnell	Chickasaw
Dewar	Henderson	Ontjes	Stock
Diltz	Himebauch	Orr	Stookesberry
Donhowe	Hollis	Parsons	Storey
Dooley	Huff	Patterson	Strippel
Doolittle	Johnson	Peterson	Ulstad
Dotts	King	Powers	Vincent
Edson	Knutson	Quirk	Weber
Elliott	Lake	Ramsey	Wilson
Fackler	Letts	Rewoldt	Wolfe
Gallagher	Lichty	Rhinehart	Mr. Speaker—70

The nays were:

Bradley	Gilbert	Hempel	Wamstad—10
Brittain	Grimwood	Long	
Gibson	Hansen	Schulte	

Absent or not voting:

Aiken	Frahm	Oliver	Scott of *
Berry	Gesman	Olson	Appanoose
Blake	Gilmore	Potts	Smith of Lucas
Brady	Graham	Rankin	Venard
Clark	Leonard	Rassler	Williams
Cole	McClune	Rumley	Yenter—28
Edge	Mathews	Rust	
Forsling	Noble		

Amendment by Criswell of Boone adopted.

The following amendment filed by Criswell of Boone was taken up and considered:

Amend Substitute for House File No. 54, section fifty-eight (58), by inserting preceding the first word of the first line of said section the following: "Except as otherwise provided in this chapter," and by changing the capital letter to a small letter in the first word of the first line of said section.

On motion of Mr. Criswell the amendment was adopted.

By unanimous consent, the following amendment filed by Hauge of Polk on January 29th was withdrawn:

Amend the Substitute for House File No. 54 by inserting a period (.) after the word "lawful" in line nine (9) of section nineteen (19), and striking out the following words "and such" and inserting in lieu thereof the letter "A".

The following amendment filed by Hauge of Polk was taken up and considered:

Amend Substitute for House File No. 54 by striking from lines 2 and 4 in section five (5), the word and figure "four (4)" and insert in lieu thereof the word and figure "two (2)".

On motion of Mr. Hauge the amendment was adopted.

The following amendment filed by Hauge of Polk was taken up and considered:

Amend Substitute for House File No. 54 by striking from subsection six (6) of section fifty-six (56), all of lines twenty (20) and twenty-one (21) and substituting in lieu thereof the following:

"provided, that the state game warden shall have authority, in his discretion, to except Chinese ring-necked or English pheasants from any or all of the provisions of this section throughout all or any portion of this state, and to provide the extent of such exception by resolution to that

effect, notice of which resolution shall be published for at least one issue in each of the official newspapers of any county affected, and provided further, that a permit to hunt, take, kill, Chinese ring-necked or English pheasants shall fix the same days as the opening date for all counties to which permits will be granted for that season and all the days for such permit shall be consecutive. The length of such exception shall not exceed five (5) days."

Mr. Hauge moved the adoption of the amendment and demanded a roll call.

On the question "Shall the amendment be adopted?"

The ayes were:

Blake	Garber of Adair	Lake	Rhinehart
Bradley	Gilbert	Letts	Robson
Buffington	Grimwood	Lichty	Rust
Carter	Hauge	Lovrien	Sampson
Colbert	Healy	Mathews	Smith of
Cole	Henderson	O'Donnell	Chickasaw
Dewar	Himebauch	Olson	Storey
Diltz	Hollis	Parsons	Vincent
Donhowe	Johnson	Peterson	Wamstad
Elliott	King	Quirk	Wilson
Gallagher	Knutson	Ramsey	Mr. Speaker—43

The nays were:

Aiken	Edge	Leonard	Schirmer
Anderson of	Edson	Lieberknecht	Schulte
Webster	Fackler	Matthiesen	Scott of
Berry	Frahm	Miller	Appanoose
Blume	Gibson	Moen	Scott of Fremont
Brady	Gilbertson	Napier	Slemmons
Brittain	Gilmore	Oliver	Smith of Lucas
Children	Hansen	Ontjes	Stock
Criswell	Harrison	Patterson	Stookesberry
Dooley	Hattendorf	Rassler	Strippel
Doolittle	Held	Rewoldt	Weber
Dotts	Hempel	Saunders	Wolfe—46

Absent or not voting:

Clark	Huff	Orr	Ulstad
Forsling	Long	Potts	Venard
Garber of Floyd	McClune	Powers	Williams
Gesman	Natvig	Rankin	Yenter—19
Graham	Noble	Rumley	

Amendment rejected.

The following amendments filed by Blume of Crawford were taken up and considered:

Amend section 59 of Substitute for House File No. 54 by striking there from the comma after the word "bird" in line eight (8); also strike out of lines eight (8), nine (9) and ten (10) the words "except that in hunting wild duck and geese, decoys may be used and artificial ambushes erected and used on land".

Amend section 65 of substitute for House File No. 54 by inserting after the comma after the word "blackbird" in line four the words "blue jay", followed by a comma.

Further amend said section 65, line six (6), by striking therefrom the words and comma "gull or tern,".

Mathews of Des Moines moved that the House adjourn until 3:00 p. m. today.

Motion prevailed.

### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted as follows: Dewar of Cherokee for the remainder of the day, on request of Rhinehart of Dallas.

### REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 236, a bill for an act to amend, revise, and codify section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa, relating to 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 be amended as follows, and when so amended the bill do pass:

Amend by striking out all of said bill after the enacting clause and substituting in lieu thereof the following:

That section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa is amended, revised and codified to read as follows:

Section 1. Within thirty days after his appointment, each executor or administrator shall file a verified list of the names, ages, relationship, and places of residence of the heirs of the deceased, together with an accurate description of all the real estate of which the deceased died seized.

Sec. 2. Each executor or administrator shall, as a separate part of his final report, set forth:

1. An accurate description of all the real estate in the state in which the decedent had any interest at the time of his decease, stating its nature and extent.

2. Whether the deceased died testate or intestate.

3. The name, age, and place of residence of the surviving spouse, or that none survived the deceased.

4. The name, age, and place of residence of each of the heirs, and of their spouses, if any, and their relationship to the deceased, or that none survived.

5. The name, age, and place of residence of each legatee or devisee, and whether any legacy or devise remains a charge on the real estate, and if so, the nature and amount thereof.

6. The name, age, and place of residence, so far as known, of any other person having or claiming any interest in the real estate of the deceased, and the extent and nature of such interest.

7. The name of the guardian or trustee for any person claiming any interest in any of the real estate of the deceased, and of the court from which his letters were issued.

Sec. 3. After the expiration of two years from the death of the intestate, if no administrator has been appointed, the clerk may, on his own motion, or on application of any person interested in the estate of the deceased or in perfecting title to any real estate of which he died seized, examine the county records to determine whether the deceased died seized of any real estate, and he shall be allowed such fee therefor as shall be fixed by the court, and if deemed necessary, he may appoint some responsible person as administrator of the estate of the deceased, who shall perform the duties prescribed in the preceding section.

Sec. 4. On the hearing on the final report of every executor or administrator, the court shall determine:

1. The correct description of all the real estate in the state in which the deceased had any interest, the nature and extent thereof;

2. The name and age of each party interested or claiming an interest in the real estate, and the nature and extent thereof;

And shall enter a separate decree accordingly. The decree shall not affect the right of any person to contest any will.

Sec. 5. The clerk shall certify such decree and the same shall be recorded in the same manner as is required in cases in which the decree in partition has been entered.

C. F. CLARK, *Chairman.*

Report adopted.

Edson of Buena Vista, 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. 123, a bill for an act to amend, revise and codify chapter nine (9) of title eleven (11) and section twenty-nine hundred sixty-two (2962) of the compiled code of Iowa, relating to the township road system, the repair and improvement of the same, and the duties of the officers having jurisdiction thereover, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section four (4) by striking from line 1 the word "township";

also amend by adding after the word "townships" in line 2 the words "or townships and cities or towns".

Insert before the word "boards" in line 4 of section 4 the word "governing". Also strike out the words "of trustees" in line 4 of section 4.

Amend section 9 by adding as subsection 7, the following:

Pay to the township clerk all moneys received by him.

Amend section 10 by inserting a comma (,) in place of the period (.) at the end of the section and by adding the following: "but except on extraordinary occasions no person shall be required to go more than three (3) miles from his place of residence to work."

Amend section 11 by inserting in line 2 after the word "road" the following: "or tile drains". Also amend section 11 by striking from line three (3) the following: "inclosure or cultivated field," and by inserting in lieu thereof the words "farmyard or feed lot".

Amend section 15 by striking from line 8 the words "board of supervisors and".

Amend by striking out section 29 of the bill.

Amend section 24 by striking out all of subsection 4.

W. C. EDSON, *Chairman*.

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

House File No. 40, a bill for an act to amend, revise, and codify the law, relating to the deposit of public funds by officers, and to the salaries, fees, expenses, and expenditures of such officers, and to the publication and posting of legal notices.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 213, a bill for an act to amend, revise, and codify the law relating to marriages and incest.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 40

Amend by striking therefrom Sec. 4, and inserting in lieu thereof the following:

"Sec. 4. Deposit of State Funds.

All elective and appointive state officers, boards, commissions, and departments, except the state fair board, the state board of education and the board of control of state institutions, shall, within ten (10) days succeeding the collection thereof, deposit, with the treasurer of state, or to

the credit of said treasurer in any depository by him designated ninety per cent (90%) of all fees, commissions, and moneys collected or received; the balance actually collected in cash, remaining in the hands of any officer, board or department shall not exceed the sum of five thousand dollars (\$5,000) and no money collected shall be held more than thirty days."

Amend section 10 by striking from lines 4 and 5 the words "to original notices required for the commencement of actions nor".

Also strike the word "other" in line 5.

Amend section 12 by striking out the word "may" in line 2 of same, and inserting in lieu thereof the word "shall".

#### SENATE AMENDMENTS TO HOUSE FILE NO. 213

Amend the title by striking the period (.) at the end of such title and by inserting in lieu thereof a semi-colon and by adding the following: "and to require certain qualifications for all applicants for marriage licenses."

Amend by striking out all of section 1-a1.

Amend by adding as additional sections at the close of section two thereof the following:

"Sec. 2-a1. No license to marry shall be issued by the clerk to any male person before there shall have been presented to said clerk a certificate executed within ten days preceding the application by a reputable physician stating that the physician has made a thorough examination of the applicant and has no reason to believe that the applicant has any venereal disease.

Sec. 2-a2. Such certificate shall be executed by some reputable physician licensed to practice medicine or surgery in this state. Any physician who shall knowingly or wilfully make any false statement in the certificate hereinabove provided for shall be guilty of perjury and be punished accordingly.

Sec. 2-a3. No license to marry shall be issued by the clerk to any person who is an idiot or an imbecile or who is under guardianship on account of being a person of unsound mind; and the clerk may require proof to be made accordingly by affidavit or in some other satisfactory manner.

Sec. 2-a4. Any clerk of the district court who shall issue a license to marry without the presentation of the physician's certificate as above provided, or who shall knowingly and wilfully issue such license contrary to the provisions of this act shall be guilty of misdemeanor and shall be punished accordingly."

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 4, 264, 92, 166, 218 and 221.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this seventh day of February, 1924, sent to the Governor for his approval:

House Files Nos. 4, 264, 92, 166, 218 and 221.

C. F. LETTS, *Chairman.*

Report adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate File No. 231.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## INTRODUCTION OF BILLS

House File No. 291, by Robson of Greene, a bill for an act to legalize deeds of conveyance executed by the town of Grand Junction.

Read first and second times and referred to committee on judiciary.

Substitute for House File No. 178, by committee on municipal corporations, a bill for an act to amend, revise, and codify sections four thousand fifty-four (4054) to four thousand fifty-eight (4058), inclusive, three thousand seven hundred twenty-two (3722) to three thousand seven hundred twenty-four (3724), inclusive, three thousand seven hundred thirty-five (3735), three thousand seven hundred forty-two (3742) to three thousand seven hundred forty-four (3744), inclusive, three thousand seven hundred seventy-three (3773), three thousand seven hundred seventy-four (3774), and three thousand seven hundred seventy-eight (3778) of the compiled code of Iowa, and sections four thousand fifty-nine (4059), and three thousand six hundred thirty-eight (3638) of the supplement to said code, relating to municipal corporations.

Read first and second times and passed on file.

## PROOF OF PUBLICATION OF HOUSE FILE NO. 291

The official proof of publication of House File No. 291, a bill for an act to legalize deeds of conveyance executed by the town of Grand Junction, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## BUSINESS PENDING

The House resumed consideration of the Substitute for House File No. 54.

The question before the House was on the amendments by Blume of Crawford.

Mr. Blume moved the adoption of the amendment to section fifty-nine (59).

Amendment rejected.

On motion of Mr. Blume the following amendment to section sixty-five (65) was adopted:

Amend section 65 of Substitute for House File No. 54 by inserting after the comma after the word "blackbird" in line four the words "blue jay", followed by a comma.

By unanimous consent the amendment filed by Blume of Crawford to line six (6) of section 65 was withdrawn.

By unanimous consent the amendment filed by Parsons of Calhoun on January 30th was withdrawn.

The following amendment filed by Edge of Jasper was taken up for consideration:

Amend section fifty-five (55) of Substitute for House File No. 54 by striking out of lines six (6) and seven (7) the words "or destroy any skunk den".

On motion of Mr. Edge the amendment was adopted.

The following amendments filed by Children of Pottawattamie were taken up for consideration:

Amend Substitute for House File No. 54 as follows:

(1) Amend section ten (10), line three (3), by striking out the words "mussels, clams, frogs," and by inserting after the word "animals" in line four (4) the words "or mussels, clams and frogs, except for bait,".

(2) Amend section thirteen (13) by adding thereto the following: "The fish and game protection fund shall be paid out only on verified vouchers approved by the state board of audit."

(3) Amend section sixteen (16), line eight (8), by inserting between the words "nor" and "upon" the word "hunt".

(4) Amend section seventeen (17), line fourteen (14), by striking out the words "or resident alien.". Also amend by adding the following subsection:

"4. No resident alien shall be granted a hunting license in this state."

(5) Amend section nineteen (19), line fourteen (14), by inserting between the words "all" and "hunting" the word "nonresident".

(6) Insert between sections twenty-one (21) and twenty-two (22) the following:

"Sec. 21-a1. For the purposes of the next succeeding section the state shall be divided into two zones as follows:

1. The northern zone shall embrace all counties of the state north of the township line which divides the townships of Range 81 N. from those of Range 82 N. except such portions of Cedar and Clinton counties as are north of such township line.

2. The southern zone shall embrace all counties south of the township line which divides the townships of Range 81 N. from those of Range 82 N. and those portions of Cedar and Clinton counties lying north of said township line."

(7) Amend section twenty-two (22) by striking out all of said section and substituting in lieu thereof the following:

"It shall be unlawful for any person to take from the waters of the state:

1. Any salmon or trout from September first to April fourteenth.
2. Any black bass in the northern zone from December first to June fourteenth or in the southern zone from November fifteenth to May thirty-first.
3. Any pike, crapple, pickerel, catfish, perch, or any other game fish, in the northern zone from December first to May fourteenth, or in the southern zone from November fifteenth to April thirtieth.

All dates in this section are inclusive."

(8) Amend section twenty-five (25), line four (4), by inserting between the words "line," and "in" the words "or one line with two hooks,".

(9) Amend section twenty-five (25), line six (6), by adding after the word "spoonhook" and preceding the period (.) the following "or plug with not to exceed three single hooks or one three-hook gang".

(10) Amend section twenty-seven (27), lines two (2) and three (3), by striking out the words "not exceeding thirty (30) feet in length".

(11) Amend section thirty-five (35), line three (3), by inserting between the words "dog fish," and "and" the word "skipjack,".

(12) Amend section fifty-six (56) by striking out all of subsection seven (7).

(13) Amend section fifty-nine (59), line nine (9), by inserting between the words "decoys" and "may" the words "and duck or goose calls".

(14) Amend section sixty-one (61) by adding thereto the following sentence: "No rifle shall be used on the inland waters of the state."

(15) Amend section sixty-five (65), line four (4) of subsection one (1), by inserting between the words "blackbird," and "crow" the words "blue jay,".

A division of the amendments was asked for.

On motion of Mr. Children amendment No. 1 was adopted.

On motion of Mr. Children amendment No. 2 was adopted.

On motion of Mr. Children amendment No. 3 was adopted.

Rewoldt of Bremer offered the following amendment to amendment No. 4 and moved its adoption:

Amend amendment No. 4 by Children of Pottawattamie by inserting between the words "resident" and "alien" the words "who has not made application for citizenship".

Amendment to the amendment adopted.

Mr. Children moved the adoption of amendment No. 4, as amended.

A roll call was demanded.

On the question "Shall amendment No. 4, as amended, be adopted?"

The ayes were:

Blake	Dotts	Letts	Robson
Brady	Edge	Matthiesen	Rust
Buffington	Gibson	Napier	Slemmons
Children	Harrison	Orr	Wolfe—19
Colbert	Huff	Powers	

The nays were:

Anderson of	Gilbertson	Miller	Schulte
Webster	Grimwood	Moen	Scott of
Blume	Hattendorf	Natvig	Appanoose
Bradley	Hauge	O'Donnell	Scott of Fremont
Brittain	Healy	Oliver	Smith of
Cole	Hempel	Olson	Chickasaw
Diltz	Henderson	Ontjes	Smith of Lucas
Donhowe	Himebauch	Parsons	Stock
Dooley	Hollis	Patterson	Stookesberry
Edson	Johnson	Peterson	Strippel
Elliott	King	Quirk	Ulstad
Forsling	Knutson	Ramsey	Venard
Frahm	Lichty	Rewoldt	Vincent
Gallagher	Lieberknecht	Rhinehart	Weber
Garber of Adair	Lovrien	Sampson	Wilson
Garber of Floyd	McClune	Saunders	Mr. Speaker—64
Gilbert	Mathews	Schirmer	

## Absent or not voting:

Aiken	Fackler	Leonard	Storey
Berry	Gesman	Long	Wamstad
Carter	Gilmore	Noble	Williams
Clark	Graham	Potts	Yenter—25
Criswell	Hansen	Rankin	
Dewar	Held	Rassler	
Doolittle	Lake	Rumley	

Amendment No. 4, as amended, was rejected.

By unanimous consent amendment No. 5 was withdrawn.

On motion of Mr. Children amendment No. 6 was adopted.

Slemmons of Buchanan offered the following amendments to amendment No. 7 and moved their adoption:

Amend amendment No. 7 by Children of Pottawattamie by striking out the words "April fourteenth" in line five (5) and inserting in lieu thereof the words "June fourteenth"; also by striking out the words "May fourteenth" in line nine (9) and inserting in lieu thereof the words "June fourteenth".

Amendments to amendment No. 7 rejected.

On motion of Mr. Children amendment No. 7 was adopted.

On motion of Mr. Children amendment No. 8 was adopted.

On motion of Mr. Children amendment No. 9 was adopted.

Mr. Children moved the adoption of amendment No. 10.

Amendment rejected.

On motion of Mr. Children amendment No. 11 was adopted.

Mr. Children moved the adoption of amendment No. 12.

Amendment rejected.

On motion of Mr. Children amendment No. 13 was adopted.

Mr. Children moved the adoption of amendment No. 14.

Amendment rejected.

By unanimous consent amendment No. 15 was withdrawn.

Slemmons of Buchanan offered the following amendment and moved its adoption:

Amend section twenty-five (25) of Substitute for House File No. 54 by striking from line six (6) the words "May fifteenth" and inserting in lieu thereof the words "June fifteenth".

Amendment adopted.

Dooley of Van Buren offered the following amendment to the Substitute for House File No. 54 and moved its adoption:

Amend Substitute for House File No. 54, section twenty-one (21), by striking out the word "may" in line four (4) and substituting the word "shall".

Amendment adopted.

Robson of Greene offered the following amendments and moved their adoption:

Amend the Substitute for House File No. 54 by inserting in section eleven (11) the word "spears," following the word "traps," in line one (1).

Also amend by striking out the words "October thirty-first" in line four (4) of section fifty-five (55), and inserting in lieu thereof the words "November fourteenth".

Amendments adopted.

Potts of Lee offered the following amendment and moved its adoption:

Amend Substitute for House File No. 54 by inserting after section thirty-eight (38) the following:

"Sec. 38-a1. License fees for commercial fishermen shall be twenty-five dollars (\$25.00) per annum in addition to the license fees provided in the preceding section."

Amendment adopted.

Himebauch of Emmet offered the following amendments and moved their adoption:

Amend Substitute for House File No. 54, section fifty-six (56), subsection three (3), by striking out the words "December first" in line nine (9) and inserting in lieu thereof the words "January fifteenth", and by striking the words "September thirtieth" and inserting in lieu thereof the words "December fifteenth", and changing the semicolon to a period after the word "inclusive" in line ten (10) and striking the remainder of lines ten (10) and eleven (11).

On the question "Shall the amendments be adopted?" a roll call was demanded.

The ayes were:

Brady  
Forsling  
Hauge

Himebauch  
Johnson  
O'Donnell

Orr  
Rhinehart

Vincent—9

The nays were:

Aiken	Gallagher	Mathews	Sampson
Anderson of Webster	Garber of Floyd	Matthiesen	Saunders
Berry	Gibson	Miller	Schirmer
Blume	Gilbert	Moen	Schulte
Bradley	Gilbertson	Napier	Scott of Appanoose
Brittain	Gilmore	Natvig	Scott of Fremont
Buffington	Grimwood	Noble	Slemmons
Carter	Hattendorf	Oliver	Smith of Chickasaw
Children	Healy	Olson	Smith of Lucas
Colbert	Held	Ontjes	Stock
Cole	Hempel	Parsons	Stookesberry
Criswell	Henderson	Patterson	Storey
Diltz	Huff	Peterson	Strippel
Donhowe	King	Potts	Venard
Dooley	Knutson	Powers	Wamstad
Doolittle	Leonard	Ramsey	Weber
Dotts	Letts	Rankin	Wilson
Elliott	Lichty	Rassler	Wolfe
Fackler	Lieberknecht	Rewoldt	Mr. Speaker—81
Frahm	Lovrien	Robson	
	McClune	Rust	

Absent or not voting:

Blake	Garber of Adair	Hollis	Ulstad
Clark	Gesman	Lake	Williams
Dewar	Graham	Long	Yenter—18
Edge	Hansen	Quirk	
Edson	Harrison	Rumley	

The amendments by Himebauch of Emmet were rejected.

Hauge of Polk offered the following amendment and moved its adoption:

Amend Substitute for House File No. 54 by inserting in line eleven (11) of section fifty-nine (59) after the word "and" the following: "thirty (30) minutes before".

Also amend section fifty-six (56) of said bill by striking all of lines twenty (20) and twenty-one (21), and by changing the comma (,) at the end of line nineteen (19) of said section to a period (.).

Amendment adopted.

Brittain of Madison moved the previous question.

Motion prevailed.

Knutson of Cerro Gordo moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Rule 18 was invoked.

On the question "Shall the bill pass?"

## The ayes were:

Blake	Gallagher	Lets	Robson
Bradley	Garber of Adair	Lichty	Rust
Buffington	Gibson	Lovrien	Sampson
Carter	Gilbert	McClune	Saunders
Children	Gilmore	Moen	Schirmer
Clark	Grimwood	O'Donnell	Smith of
Colbert	Hansen	Olson	Chickasaw
Criswell	Hauge	Ontjes	Stock
Dewar	Healy	Patterson	Storey
Diltz	Hempel	Peterson	Strippel
Donhowe	Henderson	Potts	Vincent
Doolittle	Himebauch	Powers	Wamstad
Edge	Hollis	Quirk	Weber
Edson	Johnson	Ramsey	Wilson
Elliott	King	Rankin	Mr. Speaker—62
Forsling	Knutson	Rhinehart	

## The nays were:

Alken	Fackler	Mathews	Rewoldt
Anderson of	Frahm	Matthiesen	Schulte
Webster	Garber of Floyd	Miller	Scott of Fremont
Gerry	Hibertson	Napier	Slemmons
Blume	Hattendorf	Natvig	Smith of Lucas
Brady	Held	Noble	Stookesberry
Brittain	Huff	Oilver	Venard
Cole	Leonard	Orr	Wolfe—37
Dooley	Lieberknecht	Parsons	
Dotts	Long	Rassler	

## Absent or not voting:

Gesman	Lake	Scott of	Ulstad
Graham	Rumley	Appanoose	Williams
Harrison			Yenter—9

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## MOTION TO RECONSIDER LAID UPON TABLE

Himebauch of Emmet moved that the vote by which Substitute for House File No. 54 passed the House be reconsidered and the motion to reconsider be laid upon the table.

Motion prevailed.

## REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 140

Colbert of Union, from the conference committee on House File No. 140, submitted the following report:

MR. SPEAKER: Your conference committee to whom was referred the disagreement between the Senate and the House on House File No. 140, a bill for an act to amend, revise, and codify sections thirty-two hundred seventy-eight (3278), thirty-two hundred seventy-nine (3279), thirty-two hundred eighty-three (3283), thirty-two hundred eighty-seven (3287),

thirty-two hundred eighty-nine (3289) and thirty-two hundred ninety-three (3293) of the compiled code of Iowa, relating to the support of the poor, beg leave to report that they have had the same under consideration and submit the following report:

First, that the House concur in Senate amendment to section six (6) of the bill.

Second, that the Senate recede from its substitute amendments to section twelve (12).

Third, that the House concur in the Senate amendment to strike section twelve (12) from the bill.

W. J. COLBERT

W. C. CHILDREN

T. E. POWERS

C. F. CLARK

Conferees on part of House.

J. C. TUCK

CHAS. M. DUTCHER

W. J. GOODWIN

J. L. BROOKHART

Conferees on part of Senate.

#### AMENDMENTS FILED

O'Donnell of Dubuque filed the following amendment to the committee amendments to Senate File No. 155:

Amend section five (5) of the committee amendments to Senate File No. 155 by inserting between lines nineteen (19) and twenty (20) the following: "Chief of fire department in cities under manager plan."

Edson of Buena Vista filed the following amendment to Senate File No. 117:

Amend Senate File No. 117 by striking from section 19 thereof the words: "No hard surfacing shall be done except as authorized by vote of the electors of the county."

Johnson of Dickinson filed the following amendments to Senate File No. 125:

Amend Senate File No. 125 as follows:

(1) Amend by striking therefrom all of sections 5, 6 and 6-a1 and inserting in lieu thereof the following:

"Sec. 5. Order for destruction.

The township trustees and the council or commissioners of cities and towns shall annually make an order fixing the time for destruction of noxious weeds on private lands and may fix different times for the destruction of different classes of weeds.

Sec. 6. Notice of order.

Notice of aforesaid order shall be given by one publication in a news-

paper of general circulation in the city, town or township and shall be directed to all property owners. Said notice shall state:

1. Time for destruction.

2. Manner of destruction if other than cutting above the surface of the ground.

3. That unless said order is complied with the trustees (or council or commissioners as the case may be) will cause said weeds to be destroyed and the cost thereof to be taxed to the owner of the property.

In lieu of such published notice the trustees, council or commissioners may order service of said notice by posting in three public places in the township, city or town, or may direct personal service to be made upon the property owners."

(2) Also amend by striking from lines 5 and 6 of section 9 the words "given in the same manner as originally given to owners as hereinbefore provided" and inserting in lieu thereof the following: "personally served if the owner is a resident of the township, city or town".

(3) Amend by striking out section 9-a1 and inserting in lieu thereof the following:

"Where the owner is not a resident of the township, city or town, said notice of assessment may be given by mailing the same by registered letter to the last known address of the person owning or controlling the premises."

(4) Amend by striking out subsection 2 of section 3 and all of section 4 and inserting in lieu thereof the following:

"Sec. 4. Weeds on highways.

The duty to cut all noxious weeds on streets and highways shall be upon the board charged with repair and maintenance of such street or highway and the expense thereof shall be paid from the respective funds dedicated to such repair and maintenance. Nothing herein contained shall prevent the abutting land owner from harvesting the hay upon such roads in due season."

(5) Amend by inserting after the word "order" in line 3 of section 7 the words "or a failure to destroy weeds on highways between the dates fixed".

On motion of Anderson of Webster the House adjourned until 9:30 a. m. Friday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 8, 1924.

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

Prayer was offered by the Rev. E. Merle Adams, pastor of the First Congregational church, Spencer, Iowa.

Journal of February 7th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Williams of Montgomery for the remainder of the week, on request of Edge of Jasper; Saunders of Palo Alto for the day, on request of Elliott of Scott; Garber of Floyd for the remainder of the week, on request of Fackler of Adams; Miller of Shelby for the remainder of the week, on request of Criswell of Boone; Vincent of Guthrie for the remainder of the week, on request of Garber of Adair.

## PETITIONS

Yenter of Johnson presented a petition from dentists of Johnson county, favoring section 122-a1 of House File No. 262. Referred to committee on public health.

## REPORT OF CONFERENCE COMMITTEE CONSIDERED

The report of the conference committee on House File No. 140, found in the House Journal of February 7th, was taken up and considered.

Colbert of Union moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee on House File No. 140 and the amendments proposed by said conference committee be adopted?"

## The ayes were:

Aiken	Fackler	McClune	Schuire
Anderson of	Frahm	Moen	Scott of
Webster	Gallagher	Napier	Appanoose
Berry	Garber of Adair	Natvig	Scott of Fremont
Blume	Gibson	Olson	Smith of
Bradley	Gilmore	Ontjes	Chickasaw
Brady	Grimwood	Orr	Smith of Lucas
Brittain	Harrison	Peterson	Stock
Buffington	Healy	Powers	Stookesberry
Children	Hempel	Quirk	Strippel
Clark	Henderson	Ramsey	Ulstad
Colbert	Himebauch	Rankin	Venard
Criswell	Hollis	Rassler	Weber
Dewar	Huff	Rewoldt	Wilson
Dooley	Lake	Rust	Wolfe
Doolittle	Leonard	Sampson	Yenter
Edge	Lovrien	Schirmer	Mr. Speaker—66
Elliott			

The nays were, none.

## Absent or not voting:

Blake	Gilbertson	Lieberknecht	Rhinehart
Carter	Graham	Long	Robson
Cole	Hansen	Mathews	Rumley
Diltz	Hattendorf	Mathieson	Saunders
Donhowe	Hauge	Miller	Slemmons
Dotts	Held	Noble	Storey
Edson	Johnson	O'Donnell	Vincent
Forsling	King	Oliver	Wamstad
Garber of Floyd	Knutson	Parsons	Williams—42
Gesman	Letts	Patterson	
Gilbert	Lichty	Potts	

The report of the conference committee on House File No. 140 and the amendments proposed by said conference committee were adopted.

## SENATE CONCURRENT RESOLUTION NO. 8 CONSIDERED

Brady of O'Brien called up Senate Concurrent Resolution No. 8, with substitute amendment proposed by the committee on agriculture and found in the House Journal of January 29th, a resolution memorializing the president, cabinet officers and the congress of the United States to adjust the present economic inequalities between agriculture and other great industries of this country.

Clark of Linn moved that action on the concurrent resolution be deferred and that it be made a special order for Saturday, February 9th, at 10:00 a. m.

Motion lost.

The following amendment proposed by Vincent of Guthrie to the amendments proposed by Hauge of Polk to the resolution was taken up and considered:

Amend the amendment proposed by Hauge of Polk by striking from the last paragraph of said amendment the words "and as exemplified in the McNarey-Haugen bill now before congress".

The amendment to the amendments was rejected.

Clark of Linn offered the following amendment to the amendments proposed by Hauge of Polk and moved its adoption:

Amend the amendments by Hauge of Polk by adding thereto the following: "and that we also approve the Norbeck-Burtness bill now pending before congress".

Brittain of Madison moved to lay Senate Concurrent Resolution No. 8 on the table.

A roll call was demanded.

The ayes were:

Brittain	Edge	Lake	Schulte
Clark	Forsling	Long	Stookesberry—13
Diltz	Graham	Rhinehart	
Dooley	Hauge		

The nays were:

Aiken	Garber of Adair	Lieberknecht	Robson
Anderson of Webster	Gibson	Lovrien	Rust
Berry	Gilbert	Mathews	Sampson
Blake	Gilbertson	Matthiesen	Schlrmer
Blume	Gilmore	Moen	Scott of Appanoose
Bradley	Grimwood	Napier	Scott of Fremont
Brady	Hansen	Natvig	Slemmons
Buffington	Harrison	Noble	Smith of Chickasaw
Carter	Hattendorf	Oliver	Smith of Lucas
Children	Healy	Olson	Stock
Colbert	Held	Ontjes	Storey
Cole	Hempel	Orr	Strippel
Criswell	Henderson	Parsons	Ulstad
Dewar	Himebauch	Patterson	Venard
Donhowe	Hollis	Peterson	Wamstad
Doolittle	Huff	Potts	Weber
Dotts	Johnson	Powers	Wilson
Edson	King	Quirk	Wolfe
Fackler	Leonard	Ramsey	Mr. Speaker—81
Gallagher	Letts	Rassler	
	Lichty	Rewoldt	

Absent or not voting:

Elliott	Knutson	Rankin	Williams
Frahm	McClune	Rumley	Yenter—14
Garber of Floyd	Miller	Saunders	
Gesman	O'Donnell	Vincent	

The motion to lay the resolution on the table was lost.

Children of Pottawattamie moved the previous question as applied to the amendments proposed by Hauge of Polk and the amendment to the amendments, proposed by Clark of Linn.

Motion prevailed.

The amendment offered by Clark of Linn to the amendments by Hauge of Polk was rejected.

On the question "Shall the amendments proposed by Hauge of Polk, found in the Journal of February 6th, be adopted?" a roll call was demanded.

The ayes were:

Bradley	Doolittle	Himebauch	Lichty
Brittain	Forsling	Hollis	Lieberknecht
Clark	Hauge	Lake	Sampson
Donhowe	Healy	Letts	Yenter—16

The nays were:

Aiken	Gibson	Napier	Schulte
Anderson of Webster	Gilbert Gilbertson	Natvig Noble	Scott of Appanoose
Berry	Gilmore	Oliver	Scott of Fremont
Blake	Grimwood	Olson	Slemmons
Blume	Harrison	Ontjes	Smith of Chickasaw
Brady	Hattendorf	Orr	Smith of Lucas
Buffington	Held	Parsons	Stock
Carter	Hempel	Patterson	Stookesberry
Children	Henderson	Peterson	Storey
Colbert	Huff	Potts	Strippel
Cole	Johnson	Quirk	U'lstad
Criswell	King	Ramsey	Venard
Dewar	Leonard	Rassler	Wamstad
Dooley	Long	Rewoldt	Wilson
Dotts	Lovrien	Rhinehart	Wolfe
Edge	Mathews	Robson	Mr. Speaker—72
Edson	Mathiesen	Rust	
Fackler	Moen	Schirmer	

Absent or not voting:

Diltz	Garber of Floyd	McClune	Rumley
Elliott	Gesman	Miller	Saunders
Frahm	Graham	O'Donnell	Vincent
Gallagher	Hansen	Powers	Weber
Garber of Adair	Knutson	Rankin	Williams—20

The amendments proposed by Hauge of Polk were rejected.

Dooley of Van Buren moved the previous question.

Motion prevailed.

On the question "Shall the substitute resolution proposed by the committee on agriculture and found in the House Journal of January 29th be substituted for Senate Concurrent Resolution No. 8?" a roll call was demanded.

Rule 18 was invoked.

The ayes were:

Aiken	Gallagher	Lichty	Robson
Anderson of Webster	Garber of Adair	Lieberknecht	Rust
Berry	Gibson	Long	Sampson
Blake	Gilbert	Lovrien	Schirmer
Blume	Gilbertson	McClune	Schulte
Bradley	Gilmore	Mathews	Scott of Appanoose
Brady	Graham	Matthiesen	Scott of Fremont
Brittain	Grimwood	Moen	Slemmons
Buffington	Hansen	Napier	Smith of Chickasaw
Carter	Harrison	Natvig	Smith of Lucas
Children	Hattendorf	Oliver	Stock
Colbert	Hauge	Olson	Stokesberry
Criswell	Healy	Ontjes	Storey
Dewar	Held	Orr	Strippel
Diltz	Hempel	Parsons	Ulstad
Donhowe	Henderson	Patterson	Venard
Dooley	Himebauch	Peterson	Wamstad
Doolittle	Hollis	Potts	Weber
Dotts	Huff	Powers	Wilson
Edge	Johnson	Quirk	Wolfe
Edson	King	Ramsey	Yenter
Fackler	Knutson	Rankin	Mr. Speaker—96
Forsling	Lake	Rassler	
Frahm	Leonard	Rewoldt	
	Letts	Rhinehart	

The nays were:

Cole—1

Absent or not voting:

Clark	Gesman	O'Donnell	Vincent
Elliott	Miller	Rumley	Williams—11
Garber of Floyd	Noble	Saunders	

The substitute resolution proposed by the committee on agriculture was substituted for Senate concurrent resolution No. 8.

On motion of Brady of O'Brien the substitute for Senate concurrent resolution No. 8 was adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: Senate File No. 231.

## EXPLANATION OF VOTE

In explanation of my vote upon House Substitute to Senate Concurrent Resolution No. 8.

I beg to say that when the Senate introduced Concurrent Resolution No. 8, charging the republican party with neglecting to have a care for the agricultural vote, and that a storm is brewing threatening the power and authority of the republican party, I was willing to accept their opinion and desired to vote "Yes" on the resolution, but when the House attempts to substitute a "slap on the wrist" for a good vigorous kick directed at the seat of government, I object and therefore vote "No" on the Substitute.

E. J. COLE.

## 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 refused to concur in House amendments to Senate File No. 165, a bill for an act to amend, revise, and codify the law relating to public libraries in municipal corporations.

Also, that the Senate refuses to concur in the House Amendments to Senate File No. 275, a bill for an act relating to the sale of public bonds.

Also, that the Senate has adopted the following resolution:

Concurrent Resolution No. 11, resolution to exempt, when used for certain purposes, sand and gravel from tax.

L. W. AINSWORTH, *Secretary*.

## SENATE CONCURRENT RESOLUTION NO. 11

*Whereas*, On January 29, 1924, the Executive Council approved a resolution passed by the board of conservation on October 12, 1923, requiring a tax or royalty to be collected on sand and gravel taken from meandered streams under the jurisdiction of the board of conservation; and

*Whereas*, This resolution carries no exemptions and goes into effect within ten days; therefore,

*Be It Resolved by the Senate, the House concurring*: That all sand and gravel which is to be used for the construction or maintenance of public improvements, including levees or drainage projects, shall be excepted from the operation of such resolution."

Graham of Wapello asked unanimous consent for immediate consideration of Senate Concurrent Resolution No. 11.

Objection was made.

Graham of Wapello moved that rule 34 be suspended and that the resolution be considered at this time.

The motion to suspend the rule, having failed to receive a two-thirds majority, was lost.

## HOUSE INSISTS UPON AMENDMENTS

Clark of Linn moved that the House insist upon its amendments to Senate File No. 275.

Motion prevailed.

Forsling of Woodbury moved that the House insist upon its amendments to Senate File No. 165.

Motion prevailed.

## APPOINTMENT OF CONFERENCE COMMITTEES

As a conference committee on Senate File No. 165, the Speaker appointed the following members on the part of the House: Weber of Dubuque, Himebauch of Emmet, Gesman of Marion and Forsling of Woodbury.

As a conference committee on Senate File No. 275, the Speaker appointed the following members on the part of the House: Ontjes of Grundy, Diltz of Polk, Storey of Warren and Forsling of Woodbury.

## CONSIDERATION OF BILLS

Senate File No. 53, a bill for an act to amend, revise, and codify chapter ten (10) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to the state fire marshal and the prevention and investigation of fires; to provide the method of procedure in effecting appeals; also to provide a penalty for a violation thereof, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Potts of Lee the amendments proposed by the committee, found in the Journal of January 30th, were adopted.

Lake of Woodbury offered the following amendment and moved its adoption:

Amend Senate File No. 53 by striking from section 32, line one (1), the words "except in cities of the first class".

Amendment adopted.

Mr. Potts moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Anderson of Webster	Frahm Gallagher	Long Lovrien	Rust Sampson
Blake	Garber of Adair	McClune	Schirmer
Blume	Gibson	Mathews	Schulte
Bradley	Gilbert	Moen	Scott of
Brady	Gilbertson	Napier	Appanoose
Brittain	Gilmore	Natvig	Scott of Fremont
Buffington	Graham	Noble	Slemmons
Carter	Grimwood	O'Donnell	Smith of
Children	Harrison	Oliver	Chickasaw
Clark	Hattendorf	Olson	Smith of Lucas
Colbert	Healy	Ontjes	Stock
Cole	Held	Orr	Stookesberry
Criswell	Hempel	Parsons	Storey
Dewar	Henderson	Patterson	Strippel
Diltz	Himebauch	Peterson	Ulstad
Donhowe	Hollis	Potts	Venard
Dooley	Huff	Powers	Wamstad
Doolittle	Johnson	Quirk	Weber
Dotts	King	Ramsey	Wilson
Edge	Knutson	Rankin	Wolfe
Edson	Lake	Rassler	Yenter
Elliott	Letts	Rewoldt	Mr. Speaker—95
Fackler	Lichty	Rhinehart	
Forsling	Lieberknecht	Robson	

The nays were, none.

## Absent or not voting:

Aiken	Hansen	Miller	Williams—13
Berry	Hauge	Rumley	
Garber of Floyd	Leonard	Saunders	
Gesman	Matthiesen	Vincent	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## SPECIAL ORDERS MADE

On request of Clark of Linn, unanimous consent having been obtained, consideration of Senate amendments to House File No. 213 was made a special order for Wednesday, February 13th, at 10:00 a. m.

On request of Edson of Buena Vista, unanimous consent having been obtained, Senate File No. 117 was made a special order for Tuesday, February 12th, at 10:30 a. m.

On request of Edson of Buena Vista, unanimous consent having been obtained, Senate File No. 119 was made a special order for Tuesday, February 12th, at 11:00 a. m.

House File No. 114, a bill for an act to amend, revise, and

codify sections two thousand seven hundred twenty-eight (2728) to two thousand seven hundred thirty-eight (2738), inclusive, two thousand seven hundred forty-six (2746), two thousand seven hundred forty-seven (2747), two thousand seven hundred forty-nine (2749) to two thousand seven hundred fifty-three (2753), inclusive, two thousand seven hundred fifty-six (2756) to two thousand seven hundred sixty-four (2764), inclusive, two thousand seven hundred sixty-seven (2767), and two thousand seven hundred sixty-eight (2768) of the compiled code of Iowa, and section two thousand seven hundred forty-eight (2748) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up and considered.

Potts of Lee moved the adoption of the committee amendments.

Committee amendments rejected.

Clark of Linn moved that further action on House File No. 114 be deferred until Monday, February 11th.

Motion lost.

On motion of Gilbertson of Winneshiek the House adjourned until 1:00 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### BUSINESS PENDING

The House resumed consideration of House File No. 114.

The following amendment filed by Children of Pottawattamie was taken up for consideration:

Amend House File No. 114 as follows:

Amend section twenty-three (23) by inserting after the word "annually" in line one (1) the words "for the biennium ending June thirtieth, nineteen hundred twenty-five (1925),".

Clark of Linn moved that further action on House File No. 114 be deferred and that the bill be made a special order for Wednesday, February 13th, at 11:00 a. m.

Motion lost.

On motion of Mr. Children the amendment proposed by him was adopted.

The following amendment filed by Potts of Lee was taken up for consideration:

Amend House File No. 114 by striking out the words "secretary of state" following the word "the" in line six of section twenty-one and inserting in lieu thereof the following: "official in whose office the document originates".

On motion of Mr. Potts the amendment was adopted.

Clark of Linn moved that House File No. 114, as amended, be rereferred to the committee on state educational institutions.

Motion prevailed.

House File No. 288, a bill for an act to legalize the issuance of certain warrants of the city of Sioux City, Iowa, issued against the police equipment fund of said city and legalizing and validating said warrants as issued, with report of committee recommending passage, was taken up for consideration.

Forsling of Woodbury moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Graham	Mathews	Schulte
Webster	Grimwood	Matthiesen	Scott of Fremont
Bradley	Hattendorf	Napier	Smith of
Brady	Healy	Natvig	Chickasaw
Brittain	Held	Oliver	Smith of Lucas
Buffington	Hempel	Olson	Stock
Carter	Henderson	Parsons	Stookesberry
Children	Himebauch	Peterson	Storey
Colbert	Hollis	Powers	Strippel
Criswell	Huff	Quirk	Ulstad
Dewar	King	Ramsey	Venard
Diltz	Knutson	Rankin	Weber
Doolittle	Lake	Rassler	Wilson
Dotts	Letts	Rewoldt	Wolfe
Forsling	Lichty	Rhinehart	Yenter
Gallagher	Long	Robson	Mr. Speaker—68
Gibson	Lovrien	Rust	
Gilbert	McClune	Sampson	

The nays were:

Blume—1

Absent or not voting:

Aiken	Clark	Dooley	Elliott
Berry	Cole	Edge	Fackler
Blake	Donhowe	Edson	Frahm

Garber of Adair	Hauge	O'Donnell	Schirmer
Garber of Floyd	Johnson	Ontjes	Scott of
Gesman	Leonard	Orr	Appanoose
Gilbertson	Lieberknecht	Patterson	Slemmons
Gilmore	Miller	Potts	Vincent
Hansen	Moen	Rumley	Wamstad
Harrison	Noble	Saunders	Williams—39

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 155, a bill for an act to amend, revise, and codify chapter five (5) of title thirteen (13) of the compiled code of Iowa and of the supplement to said code, and section forty-two hundred thirty-two (4232) of the compiled code of Iowa, and sections forty-two hundred ninety-seven-a one (4297-a1) to forty-two hundred ninety-seven-a nineteen (4297-a19), inclusive, of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

The following amendment filed by Diltz of Polk to the committee amendments was taken up for consideration:

Amend the committee amendments to Senate File No. 155 as follows:

Amend by striking subsection six (6) from paragraph one (1) of section five (5).

On motion of Mr. Diltz the amendment to the committee amendments was adopted.

Diltz of Polk offered the following amendment to the committee amendments and moved its adoption:

Amend the committee amendments to Senate File No. 155 by striking out the period at the end of subsection four (4) of paragraph one (1) of the amendment to section five (5) and inserting in lieu thereof the following: "and municipal court bailiffs who are employed exclusively as court room attendants".

Amendment adopted.

The following amendment to the committee amendments, filed by O'Donnell of Dubuque, was taken up and considered:

Amend section five (5) of the committee amendments to Senate File No. 155 by inserting between lines nineteen (19) and twenty (20) the following: "Chief of fire department in cities under manager plan."

On motion of Mr. O'Donnell the amendment was adopted.

On motion of Forsling of Woodbury the committee amend-

ments, found in the Journal of February 4th, as amended, were adopted.

The following amendments filed by Diltz of Polk were taken up and considered:

Amend Senate File No. 155 as follows:

Amend section 7 by inserting before the word "fitness" in line 6 of such section the words "physical and mental".

Further amend section 7 by adding thereto the following:

"In all examinations and appointments under the provisions of this chapter, honorably discharged soldiers, sailors or marines of the regular or volunteer army or navy of the United States shall be given the preference, if otherwise qualified."

Amend by striking all of section 11 and inserting in lieu thereof the following:

"Except as otherwise provided, no person shall be appointed or employed in any capacity in the fire or police department, or any department which is governed by the civil service, until such person shall have passed a civil service examination as provided in this act, and has been certified to the city council as being eligible for such appointment; provided, however, that in cases of emergency, in which the peace and order of the city is threatened by reason of fire, flood, storm, or mob violence, making additional protection of life and property necessary, in which case the person having the appointing power may deputize additional persons, without examination, to act as peace officers until such emergency shall have passed.

In no case shall any person be appointed or employed in any capacity in the fire or police department, or any department which is governed by civil service, unless such person:

1. Is a citizen of the United States and has been a resident of the city for more than one year, but such residence in the city shall not be a necessary qualification for appointment as chief of police or chief of fire department.
2. Is of good moral character.
3. Is able to read and write the English language.
4. Is not a liquor or drug addict.
5. Has not been convicted of a felony.
6. Has not borne arms against the United States government.
7. Has not claimed exemption from military service on account of being a conscientious objector."

On motion of Mr. Diltz the amendments were adopted.

Anderson of Webster offered the following amendments to Senate File No. 155 and moved their adoption:

Amend section eight (8) by striking from line two (2) the word and figures "ten (10)" and inserting in lieu thereof "five (5)".

Further amend said section by substituting for the comma (,) following the word "position" in line three (3) the following: "in cities of less than fifty thousand (50,000) population and ten (10) persons for each class of positions in cities of more than fifty thousand (50,000) population."

#### Amendments adopted.

Forsling of Woodbury moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

#### On the question "Shall the bill pass?"

The ayes were:

Anderson of	Garber of Adair	McClune	Rust
Webster	Gibson	Mathews	Sampson
Blake	Gilbert	Matthiesen	Schirmer
Blume	Gilbertson	Moen	Scott of
Bradley	Gilmore	Napier	Appanoose
Brady	Graham	Natvig	Scott of Fremont
Brittain	Grimwood	Noble	Slemmons
Buffington	Hattendorf	O'Donnell	Smith of
Clark	Healy	Oliver	Chickasaw
Colbert	Hempel	Olson	Smith of Lucas
Cole	Henderson	Orr	Stock
Criswell	Himebauch	Parsons	Stookesberry
Diltz	Hollis	Patterson	Storey
Dooley	Huff	Peterson	Strippel
Doolittle	Johnson	Potts	Ulstad
Dotts	King	Powers	Venard
Edge	Knutson	Quirk	Wamstad
Elliott	Lake	Ramsey	Weber
Fackler	Letts	Rankin	Wilson
Forsling	Lichty	Rewoldt	Wolfe
Gallagher	Long	Rhinehart	Yenter
	Lovrien	Robson	Mr. Speaker—84

The nays were:

Ontjes—1

Absent or not voting:

Aiken	Edson	Hauge	Rumley
Berry	Frahm	Held	Saunders
Carter	Garber of Floyd	Leonard	Schulte
Children	Gesman	Lieberknecht	Vincent
Dewar	Hansen	Miller	Williams—23
Donhowe	Harrison	Rassler	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 254, a bill for an act to amend, revise, and codify chapter seven (7) of title twenty-four (24), sections eighty-

four hundred twenty-nine (8429) and eighty-four hundred thirty (8430) of the compiled code of Iowa, and sections eighty-four hundred twenty-seven (8427) and eighty-four hundred twenty-eight (8428) of the supplement to said code, relating to bonds for the performance of contracts for public improvements, and to the rights of persons who furnish labor or materials on such improvements, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Gilbert of Marshall the amendments proposed by the committee, found in the Journal of February 5th, were adopted.

Children of Pottawattamie offered the following amendment:

Amend section one (1) of House File No. 254 by striking out all of lines eight (8) and nine (9) and inserting in lieu thereof the words "except as otherwise provided by law".

On request of Children of Pottawattamie, unanimous consent having been obtained, further action on House File No. 254 was deferred.

House File No. 266, a bill for an act to amend, revise, and codify chapters six (6) and seven (7) of title twenty-eight (28) of the compiled code of Iowa, and of the supplement to said code, and sections seventy-four hundred eighty-three (7483), ninety-three hundred (9300), and ninety-four hundred twenty-one (9421) of the compiled code of Iowa, relating to jurors, with report of committee recommending passage, was taken up for consideration.

Doolittle of Delaware offered the following amendment and moved its adoption:

Amend House File No. 266 by adding thereto the following:

Sec. 63. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Amendment rejected.

On motion of Children of Pottawattamie the House adjourned until 9:30 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 9, 1924.

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

Prayer was offered by Dean Orlando Ingvoldstad of the Chicago Bible School, Chicago, Illinois.

Journal of February 8th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harrison of Pottawattamie for the day, on request of Ulstad of Wright; Dooley of Van Buren for the day, on request of Stookesberry of Davis; Edson of Buena Vista for the day, on request of Dotts of Wayne; Huff of Cass for the day, on request of Wolfe of Linn; Hollis of Black Hawk for the day, on request of Lichty of Black Hawk; Garber of Adair for the day, on request of Sampson of Audubon; Aiken of Ida for the day, on request of Held of Plymouth.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Graham of Wapello, House File No. 26, a bill for an act to amend, revise, and codify sections four hundred sixty-six (466) to four hundred sixty-eight (468), inclusive, four hundred seventy (470), four hundred seventy-one (471), four hundred seventy-three (473) to four hundred seventy-six (476), inclusive, four hundred seventy-nine (479) to four hundred eighty-one (481), inclusive, four hundred eighty-four (484), four hundred eighty-five (485), four hundred eighty-seven (487) to four hundred ninety (490), inclusive, and four hundred ninety-five (495) of the compiled code of Iowa, relating to the canvass of votes at elections, with Senate amendments, found in the House Journal of February 5th, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Gilbertson	Matthiesen	Rust
Webster	Gilmore	Moen	Sampson
Berry	Graham	Napier	Schirmer
Blume	Grimwood	Natvig	Scott of
Bradley	Hattendorf	Noble	Appanoose
Brady	Healy	Oliver	Scott of Fremont
Brittain	Held	Olson	Smith of
Buffington	Hempel	Ontjes	Chickasaw
Carter	Henderson	Parsons	Smith of Lucas
Cole	Himebauch	Patterson	Stock
Crisswell	Johnson	Peterson	Stookesberry
Dewar	King	Potts	Strippel
Donhowe	Knutson	Powers	Venard
Dotts	Letts	Quirk	Wamstad
Fackler	Lichty	Rankin	Weber
Frahm	Long	Rassler	Wilson
Gallagher	Lovrien	Rewoldt	Mr. Speaker—68
Gibson	Mathews	Robson	

The nays were, none.

Absent or not voting:

Aiken	Elliott	Huff	Rumley
Blake	Forsling	Lake	Saunders
Children	Garber of Adair	Leonard	Schulte
Clark	Garber of Floyd	Lieberknecht	Slemmons
Colbert	Gesman	McClune	Storey
Diltz	Gilbert	Miller	Ulstad
Dooley	Hansen	O'Donnell	Vincent
Doolittle	Harrison	Orr	Williams
Edge	Hauge	Ramsey	Wolfe
Edson	Hollis	Rhinehart	Yenter—40

The House concurred in the Senate amendments to House File No. 26.

#### CONSIDERATION OF BILLS

House File No. 44, a bill for an act to amend, revise, and codify sections eight hundred eighty-two (882) and eight hundred eighty-four (884) to eight hundred ninety (890), inclusive, of the compiled code of Iowa, and section eight hundred eighty-eight (888) of the supplement to said code, relating to child labor, with report of committee recommending passage, was taken up for consideration.

Rankin of Lee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gilbertson	Napier	Schulte
Webster	Gilmore	Natvig	Scott of
Berry	Graham	Noble	Appanoose
Blake	Grimwood	O'Donnell	Scott of Fremont
Blume	Hattendorf	Oliver	Smith of
Bradley	Healy	Olson	Chickasaw
Brady	Held	Ontjes	Smith of Lucas
Brittain	Hempel	Orr	Stock
Buffington	Henderson	Parsons	Stookesberry
Carter	Himebauch	Patterson	Storey
Children	Johnson	Peterson	Strippel
Colbert	King	Potts	Ulstad
Cole	Leonard	Quirk	Venard
Criswell	Letts	Rankin	Wamstad
Dewar	Lichty	Rassler	Weber
Dotts	Lieberknecht	Rewoldt	Wilson
Edge	Long	Rhinehart	Wolfe
Fackler	Lovrien	Robson	Mr. Speaker—78
Frahm	Mathews	Rust	
Gallagher	Matthiesen	Sampson	
Gibson	Moen	Schirmer	

The nays were, none.

Absent or not voting:

Aiken	Forsling	Hollis	Rumley
Clark	Garber of Adair	Huff	Saunders
Diltz	Garber of Floyd	Knutson	Slemmons
Donhowe	Gesman	Lake	Vincent
Dooley	Gilbert	McClune	Williams
Doolittle	Hansen	Miller	Yenter—30
Edson	Harrison	Powers	
Elliott	Hauge	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 35, a bill for an act to amend, revise, and codify sections six hundred sixty-eight (668) and six hundred seventy-one (671) of the compiled code of Iowa, relating to vacancies in office, with report of committee recommending passage, was taken up for consideration.

Graham of Wapello moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Blake	Brady	Carter
Webster	Blume	Brittain	Children
Berry	Bradley	Buffington	Colbert

Cole	Hempel	Oliver	Scott of
Criswell	Henderson	Olson	Appanoose
Dewar	Himebauch	Ontjes	Scott of Fremont
Donhowe	Johnson	Orr	Smith of
Doolittle	King	Parsons	Chickasaw
Dotts	Knutson	Patterson	Smith of Lucas
Edge	Leonard	Peterson	Stock
Fackler	Letts	Potts	Stookesberry
Frahm	Lichty	Powers	Storey
Gallagher	Lieberknecht	Quirk	Strippel
Gibson	Long	Rankin	U'lstad
Gilbertson	Lovrien	Rassler	Venard
Gilmore	Mathews	Rewoldt	Wamstad
Graham	Matthiesen	Rhinehart	Weber
Grimwood	Moen	Robson	Wilson
Hansen	Napier	Rust	Wolfe
Hattendorf	Natvig	Sampson	Mr. Speaker—83
Healy	Noble	Schirmer	
Held	O'Donnell	Schulte	

The nays were, none.

Absent or not voting:

Aiken	Garber of Adair	Huff	Slemmons
Clark	Garber of Floyd	Lake	Vincent
Diltz	Gesman	McClune	Williams
Dooley	Gilbert	Miller	Yenter—25
Edson	Harrison	Ramsey	
Elliott	Hauge	Rumley	
Forsling	Hollis	Saunders	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 189, a bill for an act to amend, revise, and codify chapter two (2) of title sixteen (16) of the compiled code of Iowa, and of the supplement to said code, relating to commerce counsel, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Rankin of Lee the amendments proposed by the committee, found in the Journal of February 6th, were adopted.

Mr. Rankin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Bradley	Children	Donhowe
Webster	Brady	Colbert	Dotts
Berry	Brittain	Cole	Edge
Blake	Buffington	Criswell	Fackler
Blume	Carter	Dewar	Frahm

Gallagher	Knutson	Ontjes	Scott of
Gibson	Leonard	Orr	Appanoose
Gilbertson	Letts	Parsons	Scott of Fremont
Gilmore	Lichty	Patterson	Smith of
Graham	Lieberknecht	Peterson	Chickasaw
Grimwood	Long	Potts	Smith of Lucas
Hansen	Lovrien	Powers	Stock
Hattendorf	Mathews	Quirk	Stookesberry
Hauge	Matthiesen	Rankin	Storey
Healy	Moen	Rassler	Strippel
Held	Napier	Rewoldt	Ulstad
Hempel	Natvig	Robson	Venard
Henderson	Noble	Rust	Weber
Himebauch	O'Donnell	Sampson	Wilson
Johnson	Oliver	Schirmer	Wolfe
King	Olson	Schulte	Mr. Speaker—81

The nays were, none.

Absent or not voting:

Alken	Forsling	Huff	Saunders
Clark	Garber of Adair	Lake	Slemmons
Diltz	Garber of Floyd	McClune	Vincent
Dooley	Gesman	Miller	Wamstad
Doolittle	Gilbert	Ramsey	Williams
Edson	Harrison	Rhinehart	Yenter—27
Elliott	Hollis	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 236, a bill for an act to amend, revise, and codify section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa, relating to estate of decedents, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Doolittle of Delaware the amendments proposed by the committee, found in the Journal of February 7th, were adopted.

Mr. Doolittle moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Buffington	Donhowe	Gallagher
Webster	Children	Doolittle	Gibson
Blake	Colbert	Dotts	Gilbertson
Bradley	Cole	Edge	Gilmore
Brady	Criswell	Fackler	Graham
Brittain	Dewar	Forsling	Grimwood

Hansen	Mathews	Quirk	Smith of
Hattendorf	Matthiesen	Ramsey	Chickasaw
Healy	Moen	Rankin	Smith of Lucas
Held	Napier	Rassler	Stock
Hempel	Natvig	Rewoldt	Stookesberry
Henderson	Noble	Rhinehart	Storey
Himebauch	O'Donnell	Robson	Strippel
Johnson	Oliver	Rust	Ulstad
King	Olson	Sampson	Venard
Knutson	Ontjes	Schirmer	Weber
Leonard	Orr	Schulte	Wilson
Letts	Parsons	Scott of	Wolfe
Lieberknecht	Patterson	Appanoose	Mr. Speaker—79
Long	Peterson	Scott of Fremont	
Lovrien	Powers	Slemmons	

The nays were:

Blume—1

Absent or not voting:

Alken	Ellfott	Hauge	Potts
Berry	Frahm	Hollis	Rumley
Carter	Garber of Adair	Huff	Saunders
Clark	Garber of Floyd	Lake	Vincent
Diltz	Gesman	Lichty	Wamstad
Dooley	Gilbert	McClune	Williams
Edson	Harrison	Miller	Yenter—28

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 247, a bill for an act to amend, revise, and codify section eighty-five hundred eighty-two (8582) of the compiled code of Iowa, relating to carrying dangerous weapons and permits therefor, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Forsling of Woodbury the amendments proposed by the committee, found in the Journal of February 5th, were adopted.

Oliver of Monona offered the following amendment and moved its adoption:

Amend section two (2) of Senate File No. 247 by striking from the last line thereof the word "legal".

Amendment adopted.

Mr. Forsling moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Anderson of	Gibson	Long	Ramsey
Webster	Gilbertson	Lovrien	Rewoldt
Blume	Gilmore	Mathews	Rhinehart
Bradley	Graham	Matthlesen	Robson
Brittain	Grimwood	Moen	Rust
Buffington	Hattendorf	Napier	Sampson
Carter	Healy	Natvig	Schirmer
Colbert	Hempel	O'Donnell	Schulte
Cole	Henderson	Oliver	Smith of
Criswell	Himebauch	Olson	Chickasaw
Dewar	Johnson	Orr	Stock
Donhowe	King	Parsons	Strippel
Dotts	Lake	Patterson	Venard
Edge	Letts	Peterson	Weber
Forsling	Lichty	Powers	Mr. Speaker—61
Gallagher	Lieberknecht	Quirk	

## The nays were:

Berry	Hansen	Rassler	Smith of Lucas
Blake	Knutson	Scott of	Stokesberry
Children	Leonard	Appanoose	Ulstad
Doolittle	Ontjes	Scott of Fremont	Wolfe—18
Fackler	Rankin	Slemmons	

## Absent or not voting:

Aiken	Garber of Adair	Huff	Vincent
Brady	Garber of Floyd	McClune	Wamstad
Clark	Gesman	Miller	Williams
Diltz	Gilbert	Noble	Wilson
Dooley	Harrison	Potts	Yenter—29
Edson	Hauge	Rumley	
Elliott	Held	Saunders	
Frahm	Hollis	Storey	

So the bill having received a constitutional majority was declared to have passed the House 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. 201, a bill for an act to amend, revise, and codify the law relating to corporations for profit and not for profit.

Also, that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate File No. 85, a bill for an act to amend, revise, and codify the law, relating to education, and instruction in patriotism.

Also, that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House File No. 78, a bill for an act to amend, revise, and codify the law, relating to occupying claimants.

Also, that the Senate has receded from its amendments to the following bill:

House File No. 116, a bill for an act relating to education and the Iowa geological survey.

Also, that the Senate has adopted and concurred in the report of the conference committee on the following bill:

House File No. 102, a bill for an act relating to education.

Also, that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House File No. 180, a bill for an act to amend, revise, and codify the law, relating to plats of municipal corporations.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 180

Amend section 6 by striking out all after the period (.) in line 4, and all of lines 5, 6, 7, 8, 9, and 10.

Amend section 12 by striking the period (.) after the word "known" in the last line of said section, and inserting the following: "nor before an order has been entered by the district court upon application of the parties desiring a replat to be made, that such replat is necessary. The court shall have jurisdiction of the matter upon proof of publication of notice of the application for at least two weeks in some newspaper of general circulation in the city or town."

Also amend section 12 by inserting in line 7 after the word "is" and before the word "defective", the word "materially" and by striking from said line the words "in any manner".

Amend section 13 by inserting in line 11 after the word "or" and before the word "defective" the word "materially" and by striking from said line the words "in any manner".

Amend section 14 by adding the following: "If not so published then this act shall take effect as provided by the constitution."

#### SENATE MESSAGES CONSIDERED

Senate File No. 201, a bill for an act to amend, revise, and codify sections fifty-three hundred forty-five (5345), fifty-four hundred forty-four (5444), fifty-four hundred forty-eight (5448), and fifty-four hundred fifty-three (5453) of the compiled code of Iowa, and section fifty-three hundred thirty-one (5331) and fifty-three hundred sixty-seven (5367) of the supplement to the compiled code, relating to corporations for profit and not for profit.

Read first and second times and referred to committee on private corporations.

Senate File No. 85, a bill for an act to amend, revise, and codify chapter one (1) of title ten (10) and sections twenty-two hundred seventy-one (2271), twenty-two hundred seventy-three (2273), twenty-five hundred seventy-three (2573), and twenty-five hundred seventy-five (2575) of the compiled code of Iowa, and sections twenty-two hundred seventy-four-a one (2274-a1), twenty-two hundred seventy-four-a two (2274-a2), and twenty-six hundred twenty-eight (2628) of the supplement to said code, relating to education.

Read first and second times and referred to committee on schools and textbooks.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Lovrien of Humboldt, House File No. 202, a bill for an act to amend, revise, and codify sections fifty-three hundred seventy-seven (5377) and fifty-three hundred seventy-eight (5378) of the compiled code of Iowa, relating to corporate shares of stock, with Senate amendments, found in the House Journal of February 6th, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Berry	Grimwood	Moen	Schirmer
Blume	Hattendorf	Napier	Schulte
Bradley	Hauge	Natvig	Scott of
Brittain	Healy	Noble	Appanoose
Buffington	Held	O'Donnell	Scott of Fremont
Carter	Hempel	Oliver	Slemmons
Criswell	Henderson	Olson	Smith of
Dewar	Himebauch	Ontjes	Chickasaw
Donhowe	Johnson	Parsons	Smith of Lucas
Doolittle	King	Patterson	Stock
Dotts	Knutson	Peterson	Stookesberry
Edge	Lake	Powers	Storey
Fackler	Leonard	Quirk	Strippel
Forsling	Letts	Ramsey	Venard
Frahm	Lichty	Rewoldt	Wamstad
Gallagher	Lieberknecht	Rhinehart	Weber
Gibson	Long	Robson	Mr. Speaker—72
Gilbertson	Lovrien	Rust	
Graham	Mathews	Sampson	

The nays were, none.

## Absent or not voting:

Aiken	Dooley	Hollis	Saunders
Anderson of	Edson	Huff	Ulstad
Webster	Elliott	McClune	Vincent
Blake	Garber of Adair	Matthiesen	Williams
Brady	Garber of Floyd	Miller	Wilson
Children	Gesman	Orr	Wolfe
Clark	Gilbert	Potts	Yenter—36
Colbert	Gilmore	Rankin	
Cole	Hansen	Rassler	
Diltz	Harrison	Rumley	

The House concurred in the Senate amendments to House File No. 202.

On request of Doolittle of Delaware, House File No. 212, a bill for an act to amend, revise, and codify chapter seven (7) of title twenty-one (21) and chapters one (1) to six (6), inclusive, of title twenty-four (24) of the compiled code of Iowa and of the supplement to said code, relating to certain special liens, with Senate amendments, found in the House Journal of February 6th, was taken up for consideration.

Mr. Doolittle 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:

Berry	Gilmore	Mathews	Rust
Blake	Graham	Moen	Sampson
Blume	Grimwood	Napier	Schirmer
Bradley	Hattendorf	Natvig	Schulte
Brittain	Hauge	Noble	Scott of
Buffington	Healy	O'Donnell	Appanoose
Carter	Held	Oliver	Scott of Fremont
Children	Hempel	Olson	Slemmons
Cole	Henderson	Ontjes	Smith of
Criswell	Himebauch	Orr	Chickasaw
Dewar	Johnson	Parsons	Smith of Lucas
Doolittle	King	Patterson	Stock
Dotts	Knutson	Peterson	Stookesberry
Edge	Lake	Powers	Storey
Fackler	Leonard	Quirk	Strippel
Forsling	Letts	Ramsey	Venard
Frahm	Lichty	Rankin	Weber
Gallagher	Lieberknecht	Rewoldt	Wolfe
Gibson	Long	Rhinehart	Mr. Speaker—77
Gilbertson	Lovrien	Robson	

## Absent or not voting:

Aiken	Dooley	Harrison	Rumley
Anderson of Webster	Edson	Hollis	Saunders
Brady	Elliott	Huff	Ulstad
Clark	Garber of Adair	McClune	Vincent
Colbert	Garber of Floyd	Matthiesen	Wamstad
Diltz	Gesman	Miller	Williams
Donhowe	Gilbert	Potts	Wilson
	Hansen	Rassler	Yenter—31

The House refused to concur in the Senate amendments to House File No. 212.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on February 8th, approved the following bills: House Files Nos. 166, 218, 92, 221, 264 and 4.

## SPECIAL ORDER MADE

On request of Johnson of Dickinson, unanimous consent having been obtained, Senate File No. 125 was made a special order for Wednesday, February 13th, at 11:00 a. m.

## CONSIDERATION OF BILLS

House File No. 266, a bill for an act to amend, revise, and codify chapters six (6) and seven (7) of title twenty-eight (28) of the compiled code of Iowa, and of the supplement to said code, and sections seventy-four hundred eighty-three (7483), ninety-three hundred (9300), and ninety-four hundred twenty-one (9421) of the compiled code of Iowa, relating to jurors, with report of committee recommending passage was taken up for consideration.

Doolittle of Delaware moved that action on House File No. 266 be deferred.

Ontjes of Grundy moved to amend the motion by making the bill a special order for Friday, February 15th, at 10:00 a. m.

Amendment adopted.

Motion of Doolittle of Delaware, as amended, prevailed.

On motion of Hansen of Scott the House adjourned until 10:00 a. m. Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 11, 1924.

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

Prayer was offered by the Rev. John A. Branson, pastor of the M. E. church, Luther, Iowa.

Journal of February 9th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Hauge of Polk for the day, on request of Frahm of Carroll; Dooley of Van Buren for the day, on request of Stookesberry of Davis; Schulte of Worth until Wednesday, on request of Ontjes of Grundy; Huff of Cass for the day, on request of Wolfe of Linn; Wilson of Tama until Wednesday, on request of Strippel of Benton; Forsling of Woodbury for the day, on request of Himebauch of Emmet; Gilbert of Marshall for the day, on request of Gilmore of Cedar; Miller of Shelby for the day, on request of Criswell of Boone; Bradley of Poweshiek for the day, on request of Long of Jefferson; Anderson of Webster for the day, on request of Gilbertson of Winneshiek; Rewoldt of Bremer for the day, on request of Carter of Hardin; Edson of Buena Vista for the day, on request of Dotts of Wayne; Rust of Franklin for the day, on request of Children of Pottawattamie; Clark of Linn for the day, on request of Doolittle of Delaware.

## REPORT OF COMMITTEE

Graham of Wapello, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections to whom was referred House File No. 30, a bill for an act to amend, revise, and codify sections five hundred sixty-nine (569), five hundred seventy-two (572) and five hundred seventy-three (573) of the compiled code of Iowa, relating to contesting elections of state 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.

S. L. GRAHAM, *Chairman.*

Report adopted.

## CALL OF THE HOUSE

We, the undersigned, hereby request a call of the House returnable at 10:30 o'clock Tuesday forenoon, February 12th, for the consideration of Special Order No. 1, Senate File No. 117, a bill relating to the establishment of highways.

T. E. MOEN  
J. S. GARBER  
E. J. COLE  
W. B. SMITH  
W. C. CHILDREN  
WM. E. G. SAUNDERS  
W. STRIPPEL  
J. G. HEMPEL  
H. N. DONHOWE  
G. L. VENAED

## SENATE FILE NO. 111 REREFERRED

On request of Carter of Hardin, unanimous consent having been obtained, Senate File No. 111 was rereferred to the committee on schools and textbooks.

## AMENDMENTS FILED

Berry of Monroe filed the following amendment to Senate File No. 119:

Amend Senate File No. 119, section six (6), by striking therefrom all of subsection ten (10).

Oliver of Monona filed the following amendment to House File No. 144:

Amend section ten (10) of House File No. 144 by striking from line two (2) the words: "in which such person died" and inserting in lieu thereof the following: "of which such person was a resident".

Doolittle of Delaware filed the following amendment to Senate Concurrent Resolution No. 11:

Amend Senate Concurrent Resolution No. 11 by striking the period (.) at the end thereof and adding thereto the following: "until April 1st, 1925."

Children of Pottawattamie filed the following amendment to Senate File No. 117:

Amend Senate File No. 117 by striking out section 5 and by inserting in lieu thereof the following:

"Sec. 5. Changes for safety, economy, and utility.

Boards of supervisors on their own motion or on the recommendation of a civil engineer may change the course of any part of any road or stream, water course, or dry run, within any county in order to avoid the construction and maintenance of bridges, or to avoid grades, or railroad crossing, or to straighten any road, or to cut off dangerous corners, turns, or intersections on the highway, or to widen any road above statutory width, or for the purpose of preventing the encroachment of a stream, water course, or dry run, upon a public highway."

On motion of Smith of Chickasaw the House adjourned until 10:00 a. m. Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 12, 1924.

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

Prayer was offered by the Rev. Charles G. Fort, pastor of the M. E. church, Shell Rock, Iowa.

Journal of February 11th corrected and approved.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Knutson of Cerro Gordo for the day, on request of Dewar of Cherokee; Smith of Lucas for this afternoon, on request of Ulstad of Wright; Forsling of Woodbury for the day, on request of Himebauch of Emmet; Bradley of Poweshiek for the day, on request of McClune of Mahaska; Miller of Shelby for the day, on request of Criswell of Boone.

## PETITIONS

Anderson of Webster presented a petition from citizens of Webster county, protesting against the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Harrison of Pottawattamie presented petitions from members of St. Paul's Lutheran church, Council Bluffs, and members of St. John's Lutheran church, Honey Creek, protesting against the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Wolfe of Linn presented a resolution from the congregation of the Freethought, Cedar Rapids, protesting against the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Rhinehart of Dallas presented a petition from citizens of Woodward, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## REPORTS OF COMMITTEES

Brady of O'Brien, from the committee on agriculture, submitted the following report:

MR. SPEAKER: Your committee on agriculture, to whom was referred House File No. 69, a bill for an act to amend, revise, and codify chapter thirteen (13) of title five (5), and chapters five (5) and six (6) of title seven (7) of the compiled code of Iowa, and chapter thirteen-A (13-A), of title five (5) of the supplement to the compiled code of Iowa, relating to hotels, restaurants, food establishments, and cold storage plants, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

1. Amend section 1, subsection 6, by striking the period at the end of line 25 and inserting the words "for commercial purposes."
2. Amend section 1, subsection 5, by striking out of lines 17 and 18 the words "or domestic animals".
3. Amend section 2 by inserting after the word "hotel" in line 6 the words "or restaurant".
4. Amend section 5, by striking from line 13 thereof, the words "soda fountain" and inserting in lieu thereof the word "bakery".
5. Amend section 10 by striking out the last sentence of said section.
6. Amend section 22 by striking from line 3 the word "thoroughly".
7. Amend section 30 by striking from line 8 the words "if desired".
8. Amend section 34 by inserting after the words "per diem" in lines 2 and 5 the words "per person".
9. Amend section 35 by striking from line 3 the words "and it has approved of the same".
10. Amend section 51 by inserting after the word "plant" in line 2 the words "and who charges a fee for the service rendered".
11. Amend section 64 by striking from line 1 the words "person shall cold store any" and inserting after the comma following the word "sale" in line 2, the words "shall again be placed in a cold storage plant".

A. V. BRADY, *Chairman.*

Report adopted.

Graham of Wapello, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections, to whom was referred House File No. 50, a bill for an act to amend, revise, and codify chapter twenty-two (22) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the suspension of state 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 be amended as follows, and when so amended the bill do pass:

Amend by striking from lines two (2) and three (3) of section ten (10) the words and figures "twenty-five dollars (\$25.00)" and inserting in lieu thereof the words and figures "ten dollars (\$10.00)".

S. L. GRAHAM, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on elections, to whom was referred Senate File No. 33, a bill for an act to amend, revise, and codify section six hundred thirty-eight (638) of the compiled code of Iowa, relating to the release of sureties on bonds required by 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 amended as follows, and when so amended the bill do pass:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

That sections six hundred thirty-two (632) to six hundred thirty-eight (638), inclusive, of the compiled code of Iowa are amended, revised, and codified to read as follows:

Section 1. Release of sureties.

If any surety on the bond of a public officer shall so elect, his liability thereon may be cancelled at any time by giving thirty (30) days' notice in writing to the principal in the bond, and to the person or persons authorized to approve said bond and to the officer or person with whom the same is required to be filed or deposited by law. The liability and indemnity created by said bond shall extend to the date of cancellation as provided by this section.

Sec. 2. Return of premium by surety.

When a surety is released as heretofore provided, he shall refund to the principal the premium paid, if any, less a pro rata part thereof for the time said bond has been in force.

Sec. 3. New bond.

On or before the taking effect of such cancellation, the principal in said bond shall cause a new bond to be filed and approved and in case of his failure so to do, a vacancy shall be deemed to exist in the office held by him.

Also further amend by striking the title of said bill and substituting the following therefor:

A bill for an act to amend, revise, and codify sections six hundred thirty-two (632) to six hundred thirty-eight (638), inclusive, of the compiled code of Iowa, relating to the release of sureties on bonds of public officers.

S. L. GRAHAM, *Chairman.*

Report adopted.

## ODD-NUMBERED BILLS PLACED ON CALENDAR

On request of Brady of O'Brien, unanimous consent having been obtained, House Files Nos. 65 and 69, with reports of the committee on agriculture recommending amendment and passage, were ordered placed on the calendar.

## CONSIDERATION OF BILLS

Senate File No. 237, a bill for an act to amend, revise, and codify sections seven thousand seven hundred ninety-one (7791), seventy-eight hundred nineteen (7819), seven thousand eight hundred twenty-nine (7829), and seven thousand eight hundred thirty (7830) of the compiled code of Iowa, and sections seven thousand eight hundred thirty-two-a one (7832-a1) to seven thousand eight hundred thirty-two-a four (7832-a4), inclusive, of the supplement to said code, relating to wills and letters of administration, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Vincent of Guthrie the amendments proposed by the committee, found in the Journal of February 5th, were adopted.

The following amendment filed by Hauge of Polk was taken up and considered:

Amend section two (2) of Senate File No. 237 by adding at the end of the section the following: "and only a child, spouse or parent may contest any will on the grounds stated in this section".

Clark of Linn offered the following amendment to the amendment and moved its adoption:

Amend the amendment by Hauge of Polk to Senate File No. 237 by inserting after the word "child," the following: "issue of deceased child."

Amendment to the amendment adopted.

On request of Hauge of Polk, unanimous consent having been obtained, further action on Senate File No. 237 was deferred.

## SPECIAL ORDER NO. 1

The hour of 10:30 o'clock having arrived, Special Order No. 1, Senate File No. 117, a bill for an act to amend, revise, and codify sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred sixteen (2816), twenty-eight hundred twenty-six

(2826) to twenty-eight hundred thirty-four (2834), inclusive, and section twenty-nine hundred forty-three (2943) of the compiled code of Iowa and of the supplement to said code, relating to the establishment, vacation, and alteration of highways, to the erection and maintenance of bridges, and to the condemnation, establishment, and improvement of primary roads in cities and towns, with report of committee recommending amendment and passage, was taken up for consideration.

#### CALL OF THE HOUSE

A call of the House having been filed to become effective at this time, the roll was called to ascertain the absentees.

The call of the roll disclosed that the following members were absent:

Bradley, Forsling, Gesman, Knutson and Miller.

Moen of Lyon moved that the absent members who have been excused be exempt from the call of the House.

Motion prevailed.

Brittain of Madison moved that Gesman of Marion be excused for the day and be exempt from the call of the House.

The vote was taken by a division of the House.

Those voting "aye" were 52; those voting "no" were 29.

The motion having failed to receive a two-thirds majority was declared to have been lost.

Rankin of Lee moved that the call of the House be now raised and demanded a roll call.

On the question "Shall the call of the House be now raised?"

The ayes were:

Aiken	Dewar	Gallagher	Hempel
Anderson of	Diltz	Garber of Adair	Henderson
Webster	Donhowe	Garber of Floyd	Himebauch
Berry	Dooley	Gibson	Hollis
Blake	Doolittle	Gilbert	Huff
Brady	Dotts	Gilmore	Johnson
Brittain	Edge	Graham	King
Carter	Edson	Grimwood	Lake
Colbert	Elliott	Hauge	Leonard
Cole	Fackler	Healy	Letts
Criswell	Frahm	Held	Lichty

Lieberknecht	Ontjes	Rhinehart	Storey
Lovrien	Parsons	Robson	Vincent
McClune	Patterson	Rumley	Wamstad
Moen	Peterson	Rust	Weber
Napier	Potts	Sampson	Williams
Natvig	Powers	Saunders	Wolfe
Noble	Quirk	Scott of Fremont	Yenter
O'Donnell	Ramsey	Smith of	Mr. Speaker—80
Oliver	Rankin	Chickasaw	
Olson	Rewoldt	Stock	

The nays were:

Blume	Harrison	Rassler	Smith of Lucas
Buffington	Hattendorf	Schirmer	Stookesberry
Children	Long	Schulte	Strippel
Clark	Mathews	Scott of	Ulstad
Gilbertson	Matthiesen	Appanoose	Venard
Hansen	Orr	Slemmons	Wilson—23

Absent or not voting:

Bradley	Gasman	Knutson	Miller—5
Forsling			

Motion prevailed and the call of the House was raised.

The House proceeded to consider Senate File No. 117.

The following amendment filed by Edson of Buena Vista was taken up and considered:

Amend Senate File No. 117 by striking from section 19 thereof the words: "No hard surfacing shall be done except as authorized by vote of the electors of the county."

On motion of Mr. Edson the amendment was adopted.

On motion of Edson of Buena Vista the amendments proposed by the committee, found in the Journal of February 4th, were adopted.

Oliver of Monona offered the following amendments and moved their adoption:

Amend section nine (9) of Senate File No. 117 by striking out all of lines one (1) to four (4) of said section and inserting in lieu thereof the following:

"The county auditor shall cause notice to be served on the individual owner of each tract or parcel of land to be taken for such right of way, as shown by the transfer books in the office of such county auditor, and upon each person owning or holding a mortgage, or lease upon such land as shown by the county records and upon the actual occupant of such land if other than the owner thereof."

Also to amend section ten (10) of said bill by substituting a comma

for the word "and" in line one (1) and by inserting after the word "occupants" in line one (1) of said section the following:

"and mortgagees of record".

By inserting after the word "owners" as it first appears in line three (3) of said section the following:

"and mortgagees of record".

By inserting after the word "owners" as it appears the second time in line three (3) of said section the following:

"and mortgagees of record".

Also amend said section by striking out the period (.) after the word "weeks" in line six (6) thereof and inserting a "comma (,)" in lieu of said period (.) and adding the following:

"and also by mailing to such owner and mortgagee of record, by registered mail, addressed to his last known address with a copy of such notice."

Also amend section twelve (12) of said bill by inserting after the word "owner" in line two (2) of said section, the following:

", mortgagee of record, and the actual occupant of such land if any".

Also amend said section twelve (12) by inserting after the word "owners" in line three (3) thereof the following:

", mortgagee of record, and the actual occupant of such land if any".

Amendments adopted.

The following amendment filed by Brittain of Madison was taken up and considered:

Amend Senate File No. 117 by striking out section six (6) and substituting therefor the following:

"The cost entailed by a change in a highway as provided in the preceding section shall be paid from the primary road fund in case the change is on a primary road. In case the change is on a county or township road the cost shall be paid either from the primary road fund or from the county road fund or from the county bridge fund at the discretion of the board of supervisors."

Doolittle of Delaware offered the following amendment to the amendment and moved its adoption:

Amend the amendment by Brittain of Madison by inserting after the word "case" in line three (3) the following: "the primary road has been fully graded, drained, gravelled or otherwise surfaced and approved by the highway commission and".

Amendment to the amendment adopted.

Brittain of Madison moved the adoption of his amendment, as amended.

A roll call was demanded.

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

The ayes were:

Brittain	Hattendorf	Noble	Smith of Lucas
Children	Huff	Ontjes	Stookesberry
Frahm	Leonard	Parsons	Storey
Gilbertson	Long	Patterson	Uistad
Harrison	Napier	Rewoldt	Wolfe—20

The nays were:

Alken	Elliott	McClune	Schulte
Anderson of Webster	Gallagher	Mathews	Scott of Appanoose
Blake	Garber of Floyd	Matthiesen	Scott of Fremont
Blume	Gibson	Moen	Slemmons
Bradley	Gilbert	O'Donnell	Smith of Chickasaw
Brady	Graham	Oliver	Stock
Buffington	Grimwood	Olson	Strippel
Carter	Hansen	Orr	Venard
Colbert	Hauge	Peterson	Vincent
Cole	Healy	Potts	Wamstad
Criswell	Held	Powers	Weber
Dewar	Hempel	Ramsey	Williams
Diltz	Henderson	Rankin	Wilson
Donhowe	Himebauch	Rhinehart	Yenter
Dooley	Hollis	Robson	Mr. Speaker—74
Doolittle	Johnson	Rumley	
Dotts	Lake	Rust	
Edge	Letts	Sampson	
Edson	Lichty	Saunders	
	Lovrien	Schirmer	

Absent or not voting:

Berry	Garber of Adair	Knutson	Quirk
Clark	Gesman	Lieberknecht	Rassler—14
Fackler	Gilmore	Miller	
Forsling	King	Natvig	

The amendment, as amended, was rejected.

The following amendment filed by Children of Pottawattamie was taken up for consideration:

Amend Senate File No. 117 by striking out section 5 and by inserting in lieu thereof the following:

"Sec. 5. Changes for safety, economy, and utility.

Boards of supervisors on their own motion or on the recommendation of a civil engineer may change the course of any part of any road or stream, water course, or dry run, within any county in order to avoid the construction and maintenance of bridges, or to avoid grades, or railroad crossing, or to straighten any road, or to cut off dangerous corners, turns, or intersections on the highway, or to widen any road above statutory

width, or for the purpose of preventing the encroachment of a stream, water course, or dry run, upon a public highway."

Oliver of Monona offered the following amendment as a substitute for the amendment by Children of Pottawattamie:

Strike out subsection 1 of section 5 and insert in lieu thereof the following:

1. May change the course of roads in order to widen them beyond their statutory width or to avoid the construction and maintenance of expensive bridges or grades, or to avoid railroad crossings, dangerous corners, turns or intersections; provided, however, that where such change involves the relocation of more than one-half ( $\frac{1}{2}$ ) mile of continuous road the board shall not have such power except on the petition of at least ten interested freeholders.

Himebauch of Emmet moved that the House now adjourn until 1:30 p. m. today.

Williams of Montgomery moved to amend the motion by changing the hour from 1:30 p. m. to 3:00 p. m.

Amendment adopted.

Motion of Himebauch of Emmet, as amended, prevailed and the House stood adjourned.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### INTRODUCTION OF BILLS

House File No. 292, by Miller of Shelby, a bill for an act to legalize the assessment and collection of certain taxes in Jackson township, Shelby county, Iowa, and to authorize the transfer of the proceeds thereof to the road funds of said township.

Read first and second times and referred to committee on judiciary.

House File No. 293, by Vincent of Guthrie, a bill for an act to legalize the transfer of funds by the city council of the city of Forest City, Iowa.

Read first and second times and referred to committee on judiciary.

#### PROOF OF PUBLICATION OF HOUSE FILE NO. 293

The official proof of publication of House File No. 293, a bill

for an act to legalize the transfer of funds by the city council of the city of Forest City, Iowa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

#### 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. 257, a bill for an act to amend, revise, and codify the law relating to cigarettes, cigarette papers, wrappers, and tubes and to the sale and advertisement of tobacco.

Also, that the Senate has adopted the following resolution:

Senate Concurrent Resolution No. 9, relating to recess of the General Assembly from February 27th to March 5th, at 10 a. m.

Also, that the Senate has adopted and concurred in the report of the conference committee on the following bill:

Senate File No. 165, a bill for an act relating to municipal corporations—public libraries.

Also, that the Senate has adopted and concurred in the report of the conference committee on the following bill:

House File No. 140, a bill for an act relating to support of the poor.

L. W. AINSWORTH, *Secretary*.

#### SENATE CONCURRENT RESOLUTION NO. 9

*Be It Resolved by the Senate, the House concurring.* That the legislature recess from February 27th, 1924, until 10:00 a. m. March 5th, 1924.

Laid over under rule 34.

#### REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 165

MR. SPEAKER: Your conference committee, to whom was referred the disagreement between the Senate and the House on Senate File No. 165, a bill for an act to amend, revise and codify sections thirty-four hundred forty-three (3443) and thirty-seven hundred forty-nine (3749) of the compiled code, and sections thirty-seven hundred fifty-two (3752) and thirty-seven hundred sixty (3760) of the supplement to said code relating to municipal corporations, beg leave to report that they have had the same under consideration and submit the following report:

First, that the House amendment to section two (2) be amended as follows and when so amended the Senate concur therein: Amend by substituting the following therefor: "Contracts may be made between the board of trustees of any free public library and any city, town, school

corporation, township or county for its use by their respective residents. Townships and counties may enter into such contracts but may only contract for the residents outside of cities and towns. Such contract by a county shall supersede all contracts between the library trustees and townships or school corporation outside of cities and towns."

Second, that the Senate concur in all other amendments.

FRED S. HIMEBAUCH

L. B. FORSLING

J. H. WEBER

*Conferees on part of House.*

B. M. STODDARD

M. L. BOWMAN

FRANK SHANE

W. SCHMEDIKA

*Conferees on part of Senate.*

#### SENATE MESSAGE CONSIDERED

Senate File No. 257, a bill for an act to amend, revise, and codify chapter seven-A (7-A) and chapter seven-B (7-B) of title five (5) of the supplement to the compiled code of Iowa, relating to cigarettes, cigarette papers, wrappers, and tubes and to the sale and advertisement of tobacco.

Read first and second times and referred to committee on police regulations.

#### CONCURRENT RESOLUTION NO. 11

Harrison of Pottawattamie offered the following concurrent resolution:

*Whereas*, The retail selling price of gasoline has been increased six cents per gallon in the state of Iowa, within the past forty days by all companies operating in the state, and

*Whereas*, There appears to be no economic condition in the oil industry that justifies such an advance in price or the maintenance of the present retail price, and

*Whereas*, It is apparent that the advance in price and the maintenance of the present retail price and the adherence to such prices by all companies is due to an unlawful combination controlling the industry, and

*Whereas*, The President of the United States has ordered the department of justice to make an investigation of the causes of the recent advances and the present high prices of the commodity; now, therefore,

*Be It Resolved by the House of Representatives of the State of Iowa, the Senate concurring*: That we most earnestly commend President Coolidge upon his action in ordering a full and complete investigation of the

present high price of gasoline and of conditions relating to the production and sale of the product for the purpose of determining whether there exists an unlawful combination in connection therewith and that we pledge to him the unqualified support of this legislature and that of the people of our state in his endeavor to prevent oppression of the people by what appears to be an unlawful combination and an unfair trade practice; and

*Be It Further Resolved*, That a copy of this resolution be forwarded to the President and to each of the members of Congress from this state.

Laid over under rule 34.

#### BUSINESS PENDING

The House resumed consideration of Special Order No. 1, Senate File No. 117.

The question before the House was on the substitute amendment by Oliver of Monona.

Mr. Oliver moved that his substitute amendment be substituted for the amendment offered by Children of Pottawattamie.

Motion to substitute lost.

Oliver of Monona offered the following amendment as a substitute for the amendment offered by Children of Pottawattamie to section five (5) and moved that it be substituted:

Amend section five (5) by substituting a comma for the period at the end of subsection two (2) and adding the following: 'or to avoid the construction and maintenance of expensive bridges,'".

Motion to substitute lost.

Children of Pottawattamie offered the following amendment to his amendment and moved its adoption:

Amend the amendment by striking therefrom in lines two (2) and three (3) the words "or on the recommendation of a civil engineer".

Amendment to the amendment adopted.

On motion of Mr. Children his amendment, as amended, was adopted.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File No. 117 by striking from the title the words and figures "two thousand eight hundred thirty-four (2834)" and inserting in lieu thereof the words and figures "two thousand eight hundred thirty-three (2833)", and to amend the subenacting clause preceding sections

four (4) and five (5) by striking therefrom the words and figures "two thousand eight hundred thirty-four (2834)" and substituting therefor the words and figures "two thousand eight hundred thirty-three (2833)".

Amendment adopted.

Hauge of Polk offered the following amendment and moved its adoption:

Amend Senate File No. 117 by striking therefrom all of section six-a one (6-a1).

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Bradley	Hansen	Lichty	Sampson
Brittain	Hauge	O'Donnell	Vincent
Clark	Hollis	Oliver	Wamstad
Dewar	Johnson	Ramsey	Williams—22
Diltz	King	Robson	
Gilbert	Lake	Rumley	

The nays were:

Aiken	Fackler	Lovrien	Schirmer
Anderson of Webster	Frahm	McClune	Schulte
Berry	Gallagher	Mathews	Scott of Appanoose
Blake	Garber of Floyd	Matthiesen	Slemmons
Blume	Gibson	Moen	Smith of Chickasaw
Brady	Gilbertson	Napier	Stock
Buffington	Graham	Natvig	Stookesberry
Colbert	Grimwood	Noble	Storey
Cole	Harrison	Ontjes	Strippel
Criswell	Hattendorf	Orr	U'lstad
Donhowe	Healy	Parsons	Venard
Dooley	Held	Powers	Weber
Doolittle	Hempel	Quirk	Wilson
Dotts	Henderson	Rankin	Wolfe
Edge	Himebauch	Rassler	Yenter
Edson	Leonard	Rewoldt	Mr. Speaker—69
Elliott	Letts	Rust	
	Long	Saunders	

Absent or not voting:

Carter	Gilmore	Olson	Scott of Fremont
Children	Huff	Patterson	Smith of Lucas—17
Forsling	Knutson	Peterson	
Garber of Adair	Lieberknecht	Potts	
Gesman	Miller	Rhinehart	

Amendment rejected.

On request of Garber of Floyd, unanimous consent having been obtained, the amendment filed by him on January 28th was withdrawn.

Himebauch of Emmet moved that the House reconsider the vote by which the amendment offered by Edson of Buena Vista was adopted.

The motion prevailed and the House reconsidered the vote by which the amendment by Edson of Buena Vista was adopted.

The question was then on the amendment offered by Edson of Buena Vista.

Mr. Edson moved the adoption of the amendment.

A roll call was demanded.

On the question "Shall the amendment be adopted?"

The ayes were:

Blake	Elliott	Leonard	Rumley
Bradley	Gallagher	Letts	Rust
Buffington	Garber of Adair	Lichty	Sampson
Carter	Garber of Floyd	Lieberknecht	Saunders
Clark	Gilbert	Long	Schirmer
Colbert	Gilmore	Lovrien	Scott of Fremont
Cole	Graham	McClune	Smith of
Criswell	Grimwood	Matthiesen	Chickasaw
Dewar	Hansen	Miller	Venard
Donhowe	Harrison	O'Donnell	Vincent
Doolittle	Hauge	Potts	Weber
Dotts	Healy	Ramsey	Yenter—53
Edge	Held	Rankin	
Edson	Hollis	Robson	

The nays were:

Aiken	Gilbertson	Oliver	Slemmons
Anderson of	Hattendorf	Olson	Stock
Webster	Hempel	Ontjes	Stookesberry
Berry	Henderson	Orr	Storey
Blume	Himebauch	Parsons	Strippel
Brady	Huff	Patterson	Ulstad
Brittain	Johnson	Quirk	Wamstad
Children	King	Rassler	Wilson
Dooley	Mathews	Rewoldt	Wolfe
Fackler	Napier	Schulte	Mr. Speaker—44
Frahm	Natvig	Scott of	
Gibson	Noble	Appanoose	

Absent or not voting:

Diltz	Knutson	Peterson	Smith of Lucas
Forsling	Lake	Powers	Williams—11
Gesman	Moen	Rhinehart	

Amendment adopted.

Harrison of Pottawattamie in the chair.

Edson of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blake	Gilbert	Long	Rumley
Blume	Gilmore	Lovrien	Sampson
Bradley	Graham	McClune	Saunders
Brady	Grimwood	Mathews	Schirmer
Buffington	Hansen	Matthiesen	Schulte
Children	Harrison	Moen	Scott of Fremont
Clark	Hattendorf	Natvig	Slemmons
Colbert	Hauge	O'Donnell	Smith of
Cole	Healy	Oliver	Chickasaw
Dewar	Held	Olson	Stock
Diltz	Hempel	Ontjes	Storey
Doolittle	Henderson	Parsons	Strippel
Dotts	Himebauch	Patterson	Vincent
Edge	Hollis	Peterson	Weber
Edson	Huff	Potts	Williams
Elliott	Johnson	Powers	Wilson
Fackler	King	Quirk	Wolfe
Gallagher	Lake	Ramsey	Yenter—80
Garber of Adair	Letts	Rankin	
Garber of Floyd	Lichty	Rhinehart	
Gibson	Lieberknecht	Robson	

The nays were:

Aiken	Criswell	Miller	Scott of
Anderson of	Dooley	Napier	Appanoose
Webster	Frahm	Orr	Stokesberry
Berry	Gilbertson	Rassler	Ulstad
Brittain	Leonard	Rewoldt	Venard—18

Absent or not voting:

Anderson of	Donhowe	Knutson	Smith of Lucas
Winnebago	Forsling	Noble	Wamstad—10
Carter	Gesman	Rust	

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### REPORTS OF COMMITTEES

Rankin of Lee, from the committee on railroads, submitted the following report:

MR. SPEAKER: Your committee on railroads to whom was referred House File No. 196, a bill for an act to amend, revise and codify sections fifty-one hundred seventy-three (5173) and fifty-one hundred seventy-six (5176) of the compiled code of Iowa, and section fifty hundred nineteen

(5019) of the supplement to said code, relating to regulation of carriers and definition of terms, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JNO. M. RANKIN, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on railroads to whom was referred House File No. 192, a bill for an act to amend, revise and codify sections fifty-one hundred twenty-one (5121) to fifty-one hundred twenty-three (5123) inclusive, and fifty-one hundred thirty (5130) to fifty-one hundred thirty-eight (5138), inclusive, of the compiled code of Iowa, relating to taxes in aid of railways, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend line fifteen (15), subsection three (3) of section one (1), by striking therefrom the words and figures "seven and one-half ( $7\frac{1}{2}$ )", and substituting in lieu thereof "two and one-half ( $2\frac{1}{2}$ )".

JNO. M. RANKIN, *Chairman.*

Report adopted.

Garber of Floyd, from the committee on insurance, submitted the following report:

MR. SPEAKER: Your committee on insurance to whom was referred Senate File No. 205, a bill for an act to amend, revise, and codify section five thousand four hundred sixty-one (5461) of the compiled code of Iowa, and sections five thousand four hundred sixty (5460) and five thousand four hundred sixty-two (5462) of the supplement to said code, relating to the insurance 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 amended as follows, and when so amended the bill do pass:

By striking out all that follows the word "appointment" in section two (2).

Also by inserting after the word "annually," and before the word "from" in line seven (7) of section seven (7) the following: "for the biennium ending June thirtieth, nineteen hundred twenty-five (1925)".

J. S. GARBER, *Chairman.*

Report adopted.

Carter of Hardin, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks to whom was rereferred Senate File No. 111, a bill for an act to amend, revise, and

codify chapter thirty-one (31) of title ten (10) of the compiled code of Iowa and of the supplement to said code, 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 as follows, and when so amended the bill do pass:

Amend section one (1) by inserting in the last line thereof after the word instruction, the words "by a competent teacher".

Amend section 4, line 2, by striking out the word and figures "fourteen (14)" and inserting in lieu thereof the word and figures "sixteen (16)".

Amend section 10, line 1, by striking the word "shall" and inserting in lieu thereof the following: "may and, in school corporations having a population of twenty thousand (20,000) or more shall,".

L. V. CARTER, *Chairman.*

Report adopted.

#### AMENDMENTS FILED

Diltz of Polk filed the following amendment to the Senate amendments to House File No. 213:

Amend the Senate amendment to section 1-a1 of House File No. 213 by striking the period at the end of said amendment and adding thereto the following: "and substituting in lieu thereof the words 'Except as otherwise provided, an application for marriage license shall be in writing, signed by one of the contracting parties, and filed in the office of the clerk of the district court at least five days prior to the issuance of said license. A judge of a court of record may in the case of an emergency authorize the issuance of a license by endorsement on the application before the expiration of five days from the date of said application.'"

Children of Pottawattamie filed the following amendment to House File No. 254:

Amend House File No. 254, section twelve (12), by adding to said section the following: "Provided that under contracts for the construction of public drainage improvements the percentage of retention shall be the same as provided in the drainage law."

Children of Pottawattamie filed the following amendments to Senate File No. 125:

Amend Senate File No. 125 as follows:

Amend the title to read as follows:

"A bill for an act to amend, revise, and codify sections three thousand one (3001) to three thousand four (3004), inclusive, and sections three thousand six (3006), three thousand eight (3008), and three thousand nine (3009) of the compiled code of Iowa, and section three thousand three (3003) of the supplement to the compiled code, relating to the destruction of weeds on private lands and public highways."

Amend the sub-clause following the enacting clause by striking all of said clause and inserting in lieu thereof the following:

"That sections three thousand one (3001) to three thousand four (3004), inclusive, and sections three thousand six (3006), three thousand eight (3008) and three thousand nine (3009) of the compiled code of Iowa, and section three thousand three (3003) of the supplement to the compiled code are amended, revised and codified to read as follows:"

Amend section seven (7) by striking from line 5 the word "shall" as it appears between the words "meetings" and "be" and inserting the word "may"; also by striking the word "paid" as it appears between the words "be" and "from" and inserting the word "advanced"; also by placing a period following the word "be" in line 7 and striking the remainder of said section.

Patterson of Kossuth filed the following amendment to Senate File No. 119:

Amend Senate File No. 119, section six (6), by inserting after the word "maintenance" in line six (6) the following: ", road guide and warning signs".

Himebauch of Emmet filed the following amendments to Senate File No. 119:

Amend Senate File No. 119 as follows:

(1) Strike out section 1 of the bill and in lieu thereof insert the following:

"Section 1. State highway commission—term—location.

The state highway commission shall be composed of three (3) members who shall be appointed by the governor, and not more than two (2) shall belong to the same political party, and shall serve for four (4) years from July first of the year of appointment. The offices of said commission shall be located at Ames, Iowa."

(2) Section 2, line 4, immediately after the period add the following:

"The dean of engineering of the state college of agriculture and mechanic arts shall continue to serve on said board until July first, nineteen hundred twenty-five (1925)."

(3) Strike out section 3 of the bill and in lieu thereof insert the following:

"Sec. 3. Appointment.

The governor shall within sixty (60) days after the convening of the general assembly in nineteen hundred twenty-five (1925) appoint, with the consent of two-thirds ( $\frac{2}{3}$ ) of the members of the senate in executive session, two members of said board. At each succeeding regular session of the general assembly the governor shall, within sixty (60) days after the convening thereof and with the consent of two-thirds ( $\frac{2}{3}$ ) of the senate in executive session, appoint a successor or successors to the member or members whose term will expire on July first following."

(4) Section 5, line 1, strike out the word "appointive".

Yenter of Johnson filed the following amendments to House File No. 144:

Amend House File No. 144 as follows:

Amend by inserting after the word "marines" in line six (6) of section one (1) thereof the words "who served in the military or naval forces of the United States in any war".

Also amend by striking the period following the word "States" in line four (4) of section three (3) thereof and inserting the following: "who served in the military or naval forces of the United States in any war."

Also amend by striking the words ", not exceeding in the aggregate the amount authorized" from lines eight (8) and nine (9) of section five (5).

Also amend section seven (7) thereof by striking therefrom all following the comma after the word "list" in line four (4), and inserting in lieu thereof the following: "or disbursements may be made in any other manner the commission may direct. Receipts shall be taken for all payments."

Also amend section eight (8) thereof by inserting after the word "States" in line four (4) of section eight (8) the following: "who served in the military or naval forces of the United States during any war".

Also amend section eleven (11) thereof by inserting after the word "States" in line six (6) of section eleven (11) the words "who served in the military or naval forces of the United States during any war".

#### LINCOLN MEMORIAL SERVICES

Hauge of Polk moved that the House now devote a short time to the observance of the birthday of Abraham Lincoln and that the gentleman from Jones county, Hon. E. A. Grimwood, be requested to make a few remarks concerning the life, character and public service of our martyred war president, Abraham Lincoln.

Motion prevailed.

Mr. Grimwood read Lincoln's Gettysburg address and spoke briefly of Lincoln's life and public service.

The members of the House stood in silent prayer for thirty seconds as a mark of respect for the memory of the martyred president.

Garber of Adair moved that the House now adjourn until 9:30 a. m. Wednesday.

Motion prevailed and the House stood adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 13, 1924.

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

Prayer was offered by the Rev. M. A. Gable, pastor of the M. E. church, Atlantic, Iowa.

Journal of February 12th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Hauge of Polk for the day, on request of King of Clay; Forsling of Woodbury until Friday, on request of Hinebauch of Emmet.

## PETITIONS

Frahm of Carroll presented a petition from citizens of Glidden, urging the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Huff of Cass presented a petition from citizens of Atlantic, protesting against the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Hattendorf of Osceola presented a petition from members of Ocheyedan Unity Circle, urging the passage of Senate File No. 290 appropriating \$5,000 for the child welfare commission. Referred to committee on appropriations.

Wilson of Tama presented a communication from the secretary of school board, Toledo, urging the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## CONCURRENT RESOLUTIONS CONSIDERED

Harrison of Pottawattamie called up House Concurrent Resolution No. 11, relative to an investigation of the high price of gasoline.

On motion of Mr. Harrison the concurrent resolution was adopted.

Lake of Woodbury called up Senate Concurrent Resolution No. 9, found in the House Journal of February 12th, relative to a recess from February 27th until March 5th at 10:00 a. m.

Parsons of Calhoun offered the following amendment to the resolution and moved its adoption:

Amend Senate Concurrent Resolution No. 9 by striking out the figures "27th" and inserting in lieu thereof the figures "28th".

Amendment adopted.

Lake of Woodbury moved that the House concur in the Senate concurrent resolution as amended.

Moen of Lyon moved that further consideration of the resolution be deferred.

Motion lost.

On the question "Shall the House concur in Senate Concurrent Resolution No. 9, as amended?" a roll call was demanded.

The ayes were:

Aiken	Edge	Henderson	Robson
Anderson of	Edson	Hollis	Rumley
Webster	Gallagher	Huff	Rust
Berry	Garber of Floyd	Lake	Sampson
Blake	Gibson	Leonard	Saunders
Bradley	Gilbertson	Lichty	Schirmer
Brady	Gilmore	Long	Schulte
Buffington	Graham	McClune	Scott of Fremont
Colbert	Grimwood	Natvig	Smith of Lucas
Dewar	Hansen	O'Donnell	Storey
Diltz	Hattendorf	Orr	Venard
Donhowe	Healy	Peterson	Wamstad
Doolittle	Held	Powers	Weber
Dotts	Hempel	Quirk	Williams—55

The nays were:

Blume	Dooley	Harrison	Lovrien
Brittain	Elliott	Himebauch	Matthiesen
Cole	Fackler	Johnson	Miller
Criswell	Frahm	King	Moen

Napier	Patterson	Smith of	Vincent
Noble	Rankin	Chickasaw	Wilson
Oliver	Rassler	Stock	Wolfe
Olson	Scott of	Stookesberry	Mr. Speaker—36
Ontjes	Appanoose	Strippel	
Parsons	Slemmons	Ulstad	

## Absent or not voting:

Carter	Gezman	Lieberknecht	Rhinehart
Children	Gilbert	Mathews	Yenter—17
Clark	Hauge	Potts	
Forsling	Knutson	Ramsey	
Garber of Adair	Letts	Rewoldt	

The House concurred in Senate Concurrent Resolution No. 9, as amended.

## REPORT OF CONFERENCE COMMITTEE CONSIDERED

The report of the conference committee on Senate File No. 165, found in the House Journal of February 12th, was taken up for consideration.

Himebauch of Emmet moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

## The ayes were:

Anderson of	Garber of Floyd	McClune	Schirmer
Webster	Gibson	Mathews	Schulte
Bradley	Gilbert	Matthiesen	Scott of
Brady	Gilmore	Moen	Appanoose
Brittain	Grimwood	Napier	Scott of Fremont
Buffington	Harrison	Natvig	Slemmons
Children	Healy	Noble	Smith of
Clark	Held	O'Donnell	Chickasaw
Colbert	Hempel	Oliver	Stock
Cole	Henderson	Ontjes	Stookesberry
Criswell	Himebauch	Orr	Storey
Dewar	Hollis	Parsons	Strippel
Diltz	Huff	Patterson	Venard
Donhowe	Johnson	Peterson	Vincent
Dooley	King	Potts	Wamstad
Dotts	Lake	Powers	Weber
Edson	Leonard	Quirk	Wilson
Elliott	Lichty	Robson	Wolfe
Fackler	Lieberknecht	Rumley	Mr. Speaker—79
Gallagher	Long	Rust	
Garber of Adair	Lovrien	Sampson	

The nays were:

Blake	Blume	Carter	Frahm—4
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Absent or not voting:

Aiken	Graham	Olson	Smith of Lucas
Berry	Hansen	Ramsey	Ulstad
Doolittle	Hattendorf	Rankin	Williams
Edge	Hauge	Rassler	Yenter—25
Forsling	Knutson	Rewoldt	
Gesman	Letts	Rhinehart	
Gilbertson	Miller	Saunders	

The report of the conference committee on Senate File No. 165 and the amendments proposed by said conference committee were adopted.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Clark of Linn, House File No. 40, a bill for an act to amend, revise, and codify sections seven hundred six (706), seven hundred seven (707), seven hundred ten (710), seven hundred sixteen (716), seven hundred seventeen (717), seven hundred nineteen (719) to seven hundred twenty-two (722), inclusive, of the compiled code of Iowa, relating to the deposit of public funds by officers, and to the salaries, fees, expenses, and expenditures of such officers, and to the publication and posting of legal notices, with Senate amendments, found in the House Journal of February 7th, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Bradley	Frahm	Hollis	Oliver
Brady	Gallagher	Johnson	Olson
Brittain	Garber of Adair	King	Ontjes
Buffington	Garber of Floyd	Lake	Parsons
Carter	Gibson	Lichty	Peterson
Clark	Gilbertson	Lieberknecht	Potts
Colbert	Gilmore	Lovrien	Powers
Criswell	Graham	Mathews	Quirk
Dewar	Grimwood	Matthiesen	Rassler
Donhowe	Hansen	Miller	Robson
Dotts	Harrison	Moen	Rumley
Edge	Hattendorf	Napier	Rust
Edson	Healy	Natvig	Sampson
Elliott	Henderson	Noble	Schirmer
Fackler	Himebauch	O'Donnell	Schulte

Scott of Fremont	Stock	Wamstad	Yenter
Smith of	Storey	Weber	Mr. Speaker—73
Chickasaw	Strippel	Wilson	
Smith of Lucas	Venard	Wolfe	

The nays were:

Blake	Long	Scott of	Slemmons
Blume		Appanoose	Stookesberry—6

Absent or not voting:

Aiken	Doolittle	Knutson	Rewoldt
Anderson of	Forsling	Leonard	Rhinehart
Webster	Gesman	Letts	Saunders
Berry	Gilbert	McClune	Ulstad
Children	Hauge	Orr	Vincent
Cole	Held	Patterson	Williams—29
Diltz	Hempel	Ramsey	
Dooley	Huff	Rankin	

The House concurred in the Senate amendments to House File No. 40.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 35, 53 and 189.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### CONSIDERATION OF BILLS

##### SPECIAL ORDER NO. 2

Senate File No. 119, a bill for an act to amend, revise, and codify chapter three (3) of title eleven (11) of the compiled code of Iowa, relating to the state highway commission and other officers charged with duties relating to highways, with report of committee recommending passage, was taken up for further consideration.

The following amendment filed by Berry of Monroe was taken up for consideration:

Amend Senate File No. 119, section six (6), by striking therefrom all of subsection ten (10).

Olson of Clinton offered the following amendment as a substitute for the amendment offered by Berry of Monroe:

Amend Senate File No. 119 by striking out subsection ten (10) of section six (6) of the bill and substituting the following:

10. Mark the primary road system with suitable permanent and uniform guide and warning signs the cost of which shall be not more than an average of fifteen dollars (\$15.00) per mile in each county and which cost shall be paid from the primary road fund allotment of the county in which such signs are located, by warrants drawn by the state auditor on the state treasurer upon vouchers approved by the state highway commission, provided that before placing such markers and signs, the commission shall confer with the board of supervisors of the county as to the roads which shall be so marked. Such permanent marking shall be deferred on roads which are now well marked until the same, in the judgment of the commission, needs renewing.

#### SPECIAL ORDER NO. 3

The hour having arrived for Special Order No. 3, the Senate amendments to House File No. 213 were taken up for consideration.

Edson of Buena Vista moved that consideration of Special Order No. 3 be deferred until after the disposition of Special Order No. 2.

Motion prevailed.

The House resumed consideration of Senate File No. 119.

Himebauch of Emmet offered the following amendment to the substitute amendment offered by Olson of Clinton and moved its adoption:

Amend the substitute amendment by Olson of Clinton by inserting after the words "the commission shall confer with" the words "and secure the approval of".

Brittain of Madison moved the previous question as applied to the substitute amendment by Olson of Clinton and the amendment thereto proposed by Himebauch of Emmet.

Motion prevailed.

The amendment offered by Himebauch of Emmet to the substitute amendment proposed by Olson of Clinton was adopted.

On the question "Shall the amendment offered by Olson of Clinton, as amended, be substituted for the amendment offered by Berry of Monroe?" a roll call was demanded.

## The ayes were:

Blake	Gilbert	Lovrien	Sampson
Bradley	Gilmore	McClune	Saunders
Buffington	Graham	Matthiesen	Schirmer
Carter	Grimwood	Miller	Smith of
Clark	Hansen	O'Donnell	Chickasaw
Cole	Healy	Olson	Stock
Dewar	Held	Peterson	Vincent
Diltz	Henderson	Potts	Weber
Donhowe	Himebauch	Powers	Wilson
Doolittle	Hollis	Quirk	Yenter
Edson	Lake	Rankin	Mr. Speaker—52
Elliott	Letts	Rhinehart	
Gallagher	Lichty	Robson	
Gibson	Lieberknecht	Rumley	

## The nays were:

Aiken	Frahm	Napier	Scott of Fremont
Anderson of	Garber of Adair	Natvig	Slemmons
Webster	Garber of Floyd	Noble	Smith of Lucas
Berry	Gilbertson	Oliver	Stookesberry
Blume	Harrison	Ontjes	Storey
Brady	Hattendorf	Orr	Strippel
Brittain	Hempel	Parsons	Ulstad
Children	Huff	Patterson	Venard
Colbert	Johnson	Rassler	Wamstad
Criswell	King	Rewoldt	Williams
Dooley	Leonard	Rust	Wolfe—51
Dotts	Long	Schulte	
Edge	Mathews	Scott of	
Fackler	Moen	Appanoose	

## Absent or not voting:

Forsling	Hauge	Knutson	Ramsey—5
Gesman			

The amendment by Olson of Clinton, as amended, was substituted for the amendment by Berry of Monroe.

Blake of Fayette moved that the House reconsider the vote by which the amendment by Olson of Clinton, as amended, was substituted for the amendment by Berry of Monroe.

Motion prevailed.

The question was then put "Shall the amendment by Olson of Clinton, as amended, be substituted for the amendment by Berry of Monroe?"

A roll call was demanded.

## The ayes were:

Clark	Doolittle	Gallagher	Healy
Cole	Elliott	Gilmore	Himebauch

Lake	O'Donnell	Sampson	Yenter—21
Lovrien	Olson	Schirmer	
Matthiesen	Rankin	Vincent	
Miller	Robson	Weber	

The nays were:

Aiken	Fackler	Lieberknecht	Saunders
Anderson of	Frahm	Long	Schulte
Webster	Garber of Adair	Mathews	Scott of
Berry	Garber of Floyd	Moen	Appanoose
Blake	Gibson	Napier	Scott of Fremont
Blume	Gilbertson	Natvig	Slemmons
Brady	Graham	Noble	Smith of
Brittain	Grimwood	Oliver	Chickasaw
Buffington	Harrison	Ontjes	Smith of Lucas
Carter	Hattendorf	Orr	Stock
Children	Held	Parsons	Stookesberry
Colbert	Hempel	Patterson	Storey
Criswell	Henderson	Peterson	Strippel
Dewar	Hollis	Powers	Venard
Diltz	Huff	Quirk	Wamstad
Donhowe	Johnson	Rassler	Williams
Dooley	King	Rewoldt	Wilson
Dotts	Leonard	Rhinehart	Wolfe
Edge	Letts	Rumley	Mr. Speaker—76
Edson	Lichty	Rust	

Absent or not voting:

Bradley	Gilbert	Knutson	Ramsey
Forsling	Hansen	McClune	Ulstad—11
Gesman	Hauge	Potts	

The motion to substitute the amendment by Olson of Clinton, as amended, for the amendment by Berry of Monroe was lost.

Garber of Adair offered the following amendment as a substitute for the amendment offered by Berry of Monroe:

Amend Senate File No. 119 by striking out all of subsection ten of section six, and inserting in lieu thereof the following:

"Establish a system of uniform guide and warning signs for use upon the primary road system, and furnish said signs to the several boards of supervisors upon application of said board at actual cost. The work of marking said primary road system shall be done by the board of supervisors under the supervision of the highway commission and paid for out of the county's allotment of the primary road fund."

Mr. Garber moved that his amendment be substituted for the amendment offered by Berry of Monroe.

Bradley of Poweshiek moved the previous question as applied to the motion to substitute the amendment by Garber of Adair for the amendment by Berry of Monroe.

Motion prevailed.

On the question "Shall the amendment by Garber of Adair be substituted for the amendment offered by Berry of Monroe?" a roll call was demanded.

The ayes were:

Bradley	Gibson	Lichty	Rumley
Brady	Gilbert	Lieberknecht	Sampson
Carter	Gilmore	Lovrien	Saunders
Children	Graham	McClune	Schirmer
Clark	Grimwood	Mathews	Schulte
Colbert	Hansen	Matthiesen	Smith of
Cole	Harrison	Moen	Chickasaw
Diltz	Healy	O'Donnell	Storey
Donhowe	Held	Oliver	Strippel
Doolittle	Henderson	Olson	Wamstad
Dotts	Hollis	Ontjes	Weber
Edge	Huff	Orr	Williams
Elliott	Johnson	Patterson	Wilson
Fackler	King	Peterson	Wolfe
Gallagher	Leonard	Rassler	Mr. Speaker—62
Garber of Adair	Letts	Rhinehart	

The nays were:

Aiken	Edson	Natvig	Slemmons
Anderson of	Frahm	Noble	Smith of Lucas
Webster	Garber of Floyd	Parsons	Stock
Berry	Gilbertson	Quirk	Stookesberry
Blake	Hattendorf	Rewoldt	Ulstad
Blume	Hempel	Robson	Venard
Brittain	Himebauch	Rust	Vincent
Buffington	Long	Scott of	Yenter—36
Criswell	Miller	Appanoose	
Dooley	Napier	Scott of Fremont	

Absent or not voting:

Dewar	Hauge	Potts	Ramsey
Forsling	Knutson	Powers	Rankin—10
Gesman	Lake		

The amendment by Garber of Adair was substituted for the amendment by Berry of Monroe.

Garber of Adair moved the adoption of his substitute amendment.

Slemmons of Buchanan moved the previous question as applied to the substitute amendment by Garber of Adair.

Motion prevailed.

Himebauch of Emmet moved that Vincent of Guthrie be given three minutes to speak on the substitute amendment.

The vote was taken by a division of the House.

Those voting "aye" were 52; those voting "no" were 27.

The motion having failed to receive a two-thirds majority was declared to have been lost.

On the question "Shall the substitute amendment by Garber of Adair be adopted?" a roll call was demanded.

The ayes were:

Aiken	Gibson	Long	Saunders
Anderson of	Gilbertson	Lovrien	Schulte
Webster	Graham	McClune	Scott of
Berry	Grimwood	Mathews	Appanoose
Blume	Hansen	Napier	Scott of Fremont
Brady	Harrison	Natvig	Slemmons
Brittain	Hattendorf	Noble	Smith of Lucas
Buffington	Healy	Oliver	Stookesberry
Carter	Held	Ontjes	Storey
Children	Hempel	Orr	Strippel
Colbert	Henderson	Parsons	Ulstad
Criswell	Hollis	Patterson	Venard
Dewar	Huff	Peterson	Wamstad
Dooley	Johnson	Potts	Weber
Dotts	King	Powers	Wilson
Edge	Lake	Quirk	Wolfe
Fackler	Leonard	Rassler	Mr. Speaker—72
Gallagher	Lichty	Rewoldt	
Garber of Adair	Lieberknecht	Rumley	

The nays were:

Blake	Elliott	O'Donnell	Smith of
Bradley	Frahm	Olson	Chickasaw
Clark	Garber of Floyd	Rankin	Stock
Cole	Gilbert	Rhinehart	Vincent
Diltz	Himebauch	Robson	Williams
Donhowe	Letts	Rust	Yenter—29
Doolittle	Miller	Sampson	
Edson	Moen	Schirmer	

Absent or not voting:

Forsling	Gilmore	Knutson	Ramsey—7
Gesman	Hauge	Matthiesen	

The substitute amendment by Garber of Adair was adopted.

By unanimous consent, the amendment filed by Patterson of Kossuth on February 12th was withdrawn.

The amendments filed by Himebauch of Emmet on February 12th were taken up and considered.

Mr. Himebauch moved the adoption of the amendments.

Strippel of Benton moved the previous question as applied to the amendments by Himebauch of Emmet.

Motion prevailed.

On the question "Shall the amendments by Himebauch of Emmet be adopted?" a roll call was demanded.

The ayes were:

Himebauch	Long	Scott of Appanoose—3
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The nays were:

Aiken	Gallagher	Mathews	Sampson
Anderson of Webster	Garber of Floyd	Matthiesen	Saunders
Berry	Gibson	Miller	Schirmer
Blume	Gilbert	Moen	Schulte
Bradley	Gilbertson	Napier	Scott of Fremont
Brady	Gilmore	Natvig	Slemmons
Brittain	Graham	Noble	Smith of Chickasaw
Buffington	Grimwood	O'Donnell	Smith of Lucas
Carter	Hansen	Oliver	Stock
Children	Harrison	Olson	Stookesberry
Colbert	Hattendorf	Ontjes	Storey
Cole	Healy	Orr	Strippel
Crisswell	Held	Parsons	Ulstad
Dewar	Hempel	Patterson	Venard
Diltz	Henderson	Peterson	Wamstad
Donhowe	Hollis	Potts	Weber
Dooley	Huff	Powers	Wilson
Doolittle	Johnson	Quirk	Wolfe
Dotts	Lake	Rankin	Yenter
Edge	Leonard	Rassler	Mr. Speaker—91
Edson	Letts	Rhinehart	
Elliott	Lichty	Robson	
Frahm	Lovrien	Rumley	
	McClune	Rust	

Absent or not voting:

Blake	Garber of Adair	Knutson	Rewoldt
Clark	Gesman	Lieberknecht	Vincent
Fackler	Hauge	Ramsey	Williams—14
Forsling	King		

Amendments rejected.

Ontjes of Grundy offered the following amendments and moved their adoption:

Amend Senate File No. 119, section five (5), line five (5), by striking out the words "traveling and other"; also amend section five (5) by inserting between the words "all" and "necessary" in line five (5) thereof the word "actual".

Amendments adopted.

Edson of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Frahm	Lieberknecht	Rust
Anderson of Webster	Gallagher	Lovrien	Saunders
Berry	Garber of Adair	McClune	Schirmer
Blake	Garber of Floyd	Mathews	Schulte
Blume	Gibson	Matthiesen	Scott of Appanoose
Bradley	Gilbert	Moen	Scott of Fremont
Brady	Gilbertson	Napier	Slemmons
Brittain	Gilmore	Natvig	Smith of Chickasaw
Buffington	Graham	Noble	Smith of Lucas
Carter	Grimwood	O'Donnell	Stock
Children	Hansen	Oliver	Storey
Clark	Harrison	Olson	Strippel
Colbert	Hattendorf	Ontjes	Ulstad
Cole	Healy	Orr	Venard
Criswell	Held	Parsons	Vincent
Dewar	Hempel	Patterson	Wamstad
Diltz	Henderson	Peterson	Weber
Donhowe	Himebauch	Potts	Williams
Doolittle	Hollis	Powers	Wilson
Dotts	Huff	Quirk	Wolfe
Edge	Johnson	Rassler	Yenter
Edson	King	Rewoldt	Mr. Speaker—96
Elliott	Leonard	Rhinehart	
Fackler	Letts	Robson	
	Lichty	Rumley	

The nays were:

Dooley	Long	Miller	Stokesberry—4
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Absent or not voting:

Forsling	Hauge	Lake	Rankin
Gesman	Knutson	Ramsey	Sampson—8

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

On request of Clark of Linn, unanimous consent having been obtained, Special Order No. 3, the Senate amendments to House File No. 213, was made a special order for Thursday, February 14th, at 10:00 a. m.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 78, 102, 116 and 202.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 35, 53 and 189.

On motion of Gilbertson of Winneshiek the House adjourned until 3:00 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### CONSIDERATION OF BILLS

##### SPECIAL ORDER NO. 4

Senate File No. 125, a bill for an act to amend, revise, and codify chapter eleven (11) of title eleven (11) of the compiled code of Iowa, and of the supplement to said code, relating to the destruction of weeds on private lands and public highways, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Gilbertson of Winneshiek the amendments proposed by the committee, found in the Journal of February 6th, were adopted.

The following amendments filed by Johnson of Dickinson were taken up for consideration:

Amend Senate File No. 125 as follows:

(1) Amend by striking therefrom all of sections 5, 6 and 6-a1 and inserting in lieu thereof the following:

“Sec. 5. Order for destruction.

The board of supervisors of each county shall, at their April meeting of each year, by resolution make an order fixing the time for destruction of noxious weeds on private lands and may fix different times for the destruction of different varieties of weeds.

Sec. 6. Notice of order.

Notice of aforesaid order shall be given by one publication in the

official newspapers of the county and shall be directed to all property owners. Said notice shall state:

1. Time for destruction.

2. Manner of destruction if other than cutting above the surface of the ground.

3. That unless said order is complied with the trustees (or council or commissioners as the case may be) will cause said weeds to be destroyed and the cost thereof to be taxed to the owner of the property."

(2) Also amend by striking from lines 5 and 6 of section 9 the words "given in the same manner as originally given to owners as hereinbefore provided" and inserting in lieu thereof the following: "personally served if the owner is a resident of the township, city or town".

(3) Amend by striking out section 9-a1 and inserting in lieu thereof the following:

"Where the owner is not a resident of the township, city or town, said notice of assessment may be given by mailing the same by registered letter to the last known address of the person owning or controlling the premises."

(4) Amend by inserting after the word "order" in line 3 of section 7 the words "or a failure to destroy weeds on highways between the dates fixed".

On motion of Mr. Johnson the amendments were adopted.

The following amendments filed by Children of Pottawattamie were taken up for consideration:

Amend Senate File No. 125 as follows:

Amend the title to read as follows:

"A bill for an act to amend, revise, and codify sections three thousand one (3001) to three thousand four (3004), inclusive, and sections three thousand six (3006), three thousand eight (3008), and three thousand nine (3009) of the compiled code of Iowa, and section three thousand three (3003) of the supplement to the compiled code, relating to the destruction of weeds on private lands and public highways."

Amend the sub-clause following the enacting clause by striking all of said clause and inserting in lieu thereof the following:

"That sections three thousand one (3001) to three thousand four (3004), inclusive, and sections three thousand six (3006), three thousand eight (3008) and three thousand nine (3009) of the compiled code of Iowa, and section three thousand three (3003) of the supplement to the compiled code are amended, revised and codified to read as follows:"

Amend section seven (7) by striking from line 5 the word "shall" as it appears between the words "meetings" and "be" and inserting the word "may"; also by striking the word "paid" as it appears between the words "be" and "from" and inserting the word "advanced"; also by placing a period following the word "be" in line 7 and striking the remainder of said section.

On motion of Mr. Children the amendments were adopted.

Blake of Fayette offered the following amendment and moved its adoption:

Amend Senate File No. 125 by inserting at the end of section two (2) the words "and rag weed".

Amendment rejected.

Gilbertson of Winneshiek moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lichty	Rust
Anderson of Webster	Garber of Adair	Lieberknecht	Sampson
Berry	Gibson	Long	Saunders
Blake	Gilbert	Lovrien	Schirmer
Blume	Gilbertson	McClune	Schulte
Bradley	Gilmore	Mathews	Scott of Fremont
Brady	Graham	Matthiesen	Slemmons
Buffington	Grimwood	Miller	Smith of Chickasaw
Carter	Hansen	Moen	Stock
Children	Harrison	Napier	Strippel
Clark	Hattendorf	O'Donnell	Ulstad
Colbert	Healy	Oliver	Venard
Cole	Held	Olson	Vincent
Criswell	Hempel	Ontjes	Wamstad
Dewar	Henderson	Orr	Weber
Donhowe	Himebauch	Parsons	Williams
Doolittle	Hollis	Patterson	Wilson
Dotts	Huff	Peterson	Wolfe
Edge	Johnson	Powers	Yenter
Edson	King	Quirk	Mr. Speaker—88
Fackler	Lake	Rassler	
Frahm	Leonard	Rhinehart	
	Letts	Robson	

The nays were:

Brittain	Dooley	Smith of Lucas	Stookesberry—4
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Absent or not voting:

Diltz	Hauge	Ramsey	Scott of Appanoose
Elliott	Knutson	Rankin	Storey—16
Forsling	Natvig	Rewoldt	
Garber of Floyd	Noble	Rumley	
Gesman	Potts		

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File No. 144, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-two (3342) to thirty-three hundred forty-four (3344), inclusive, thirty-three hundred forty-six (3346) and thirty-three hundred forty-seven (3347) of the compiled code of Iowa, and section thirty-three hundred forty-five (3345) of the supplement to said code, relating to relief for soldiers, sailors, and marines, with report of committee on county and township organization recommending amendment and passage, was taken up for consideration.

On motion of Ontjes of Grundy the amendments proposed by the committee on county and township organization and found in the Journal of February 6th, were adopted.

The following amendment filed by Oliver of Monona was taken up for consideration:

Amend section ten (10) of House File No. 144 by striking from line two (2) the words: "in which such person died" and inserting in lieu thereof the following: "of which such person was a resident".

Diltz of Polk offered the following amendment to the amendment by Oliver of Monona and moved its adoption:

Amend the amendment by Oliver of Monona by striking out the words "of which such person was a resident" and inserting in lieu thereof the words "where such person is buried".

Amendment to the amendment rejected.

Oliver of Monona moved the adoption of his amendment.

Amendment rejected.

The following amendments filed by Yenter of Johnson were taken up for consideration:

Amend House File No. 144 as follows:

Amend by inserting after the word "marines" in line six (6) of section one (1) thereof the words "who served in the military or naval forces of the United States in any war".

Also amend by striking the period following the word "States" in line four (4) of section three (3) thereof and inserting the following: "who served in the military or naval forces of the United States in any war."

Also amend by striking the words "not exceeding in the aggregate the amount authorized" from lines eight (8) and nine (9) of section five (5).

Also amend section seven (7) thereof by striking therefrom all following the comma after the word "list" in line four (4), and inserting in lieu thereof the following: "or disbursements may be made in any other

manner the commission may direct. Receipts shall be taken for all payments."

Also amend section eight (8) thereof by inserting after the word "States" in line four (4) of section eight (8) the following: "who served in the military or naval forces of the United States during any war".

Also amend section eleven (11) thereof by inserting after the word "States" in line six (6) of section eleven (11) the words "who served in the military or naval forces of the United States during any war".

On motion of Mr. Yenter the amendments were adopted.

Ontjes of Grundy moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Mathews	Schirmer
Anderson of	Garber of Adair	Matthiesen	Schulte
Webster	Gibson	Miller	Scott of
Berry	Gilbert	Moen	Appanoose
Blake	Gilbertson	Napier	Scott of Fremont
Blume	Gilmore	Natvig	Slemmons
Bradley	Graham	Noble	Smith of
Brady	Grimwood	O'Donnell	Chickasaw
Brittain	Hansen	Oliver	Smith of Lucas
Buffington	Harrison	Olson	Stock
Carter	Hattendorf	Ontjes	Stookesberry
Children	Healy	Orr	Storey
Clark	Hempel	Parsons	Strippel
Colbert	Henderson	Patterson	Ulstad
Cole	Himebauch	Peterson	Venard
Criswell	Hollis	Potts	Vincent
Dewar	Huff	Powers	Wamstad
Diltz	Johnson	Quirk	Weber
Donhowe	King	Rankin	Williams
Dooley	Leonard	Rassler	Wilson
Doollittle	Letts	Rewoldt	Wolfe
Dotts	Lichty	Rhinehart	Yenter
Edge	Lieberknecht	Robson	Mr. Speaker—98
Edson	Long	Rust	
Fackler	Lovrien	Sampson	
Frahm	McClune	Saunders	

The nays were, none.

Absent or not voting:

Elliott	Gesman	Knutson	Ramsey
Forsling	Hauge	Lake	Rumley—10
Garber of Floyd	Held		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 91, a bill for an act to amend, revise, and codify sections two thousand three hundred forty-five (2345), two thousand three hundred forty-six (2346), two thousand three hundred fifty-two (2352), two thousand three hundred fifty-three (2353) of the compiled code of Iowa, and section two thousand three hundred fifty-four (2354) of the supplement to said code, relating to the state university and the work of the bacteriological laboratory therein, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Hansen of Scott, the amendments proposed by the committee, found in the Journal of February 6th, were adopted.

The following amendment filed by Children of Pottawattamie was taken up for consideration:

Amend Senate File No. 91, section six (6) by adding after the word "annually" in line one (1) thereof the following words: "for the biennium ending June thirtieth, nineteen hundred twenty-five (1925)".

On motion of Mr. Children the amendment was adopted.

Mr. Hansen moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lovrien	Saunders
Anderson of	Garber of Adair	McClune	Schirmer
Webster	Gibson	Mathews	Schulte
Blake	Gilbert	Matthiesen	Scott of
Blume	Gilbertson	Miller	Appanoose
Bradley	Glimore	Moen	Scott of Fremont
Brady	Graham	Napier	Slemmons
Brittain	Grimwood	Natvig	Smith of
Buffington	Hansen	Noble	Chickasaw
Carter	Harrison	O'Donnell	Smith of Lucas
Children	Hattendorf	Oliver	Stock
Clark	Healy	Olson	Stookesberry
Colbert	Held	Ontjes	Storey
Cole	Hempel	Orr	Strippel
Criswell	Henderson	Parsons	Ulstad
Dewar	Himebauch	Patterson	Vincent
Diltz	Hollis	Peterson	Wamstad
Donhowe	Huff	Potts	Weber
Dooley	Johnson	Powers	Williams
Doolittle	King	Quirk	Wilson
Dotts	Leonard	Rassler	Wolfe
Edge	Letts	Rewoldt	Yenter
Edson	Lichty	Rhinehart	Mr. Speaker—95
Fackler	Lieberknecht	Robson	
Frahm	Long	Rust	

The nays were:

Venard—1

Absent or not voting:

Berry	Garber of Floyd	Knutson	Rankin
Elliott	Gesman	Lake	Rumley
Forsling	Hauge	Ramsey	Sampson—12

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 228, a bill for an act to amend, revise, and codify sections seven thousand one hundred sixty-three (7163), seven thousand one hundred seventy-one (7171) to seven thousand one hundred seventy-three (7173), inclusive, seven thousand one hundred eighty (7180), seven thousand one hundred eighty-one (7181), seven thousand one hundred eighty-three (7183) to seven thousand one hundred eighty-five (7185), inclusive, and seven thousand one hundred eighty-nine (7189), of the compiled code of Iowa, relating to the manner of commencing actions, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Clark of Linn the amendments proposed by the committee, found in the Journal of February 7th, were adopted.

Potts of Lee offered the following amendment and moved its adoption:

Amend House File No. 228 by adding after the period (.) in line eleven (11) of subsection two (2) of section one (1) the following: "If the defendant has no member of his family over fourteen (14) years of age or a person having the care or custody of him or the head of the family, the notice may be served by leaving same at his place of business, by leaving a copy thereof with the person in charge of said business.

Amendment rejected.

Mr. Clark moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Blume	Buffington	Colbert
Anderson of	Bradley	Carter	Cole
Webster	Brady	Children	Criswell
Blake	Brittain	Clark	Dewar

Diltz	Hempel	O'Donnell	Scott of
Dooley	Henderson	Oliver	Appanoose
Doolittle	Himebauch	Olson	Scott of Fremont
Dotts	Hollis	Ontjes	Slemmons
Edge	Huff	Orr	Smith of
Edson	Johnson	Parsons	Chickasaw
Fackler	King	Patterson	Smith of Lucas
Frahm	Leonard	Peterson	Stock
Gallagher	Letts	Potts	Stookesberry
Garber of Adair	Lichty	Powers	Storey
Gibson	Lieberknecht	Quirk	Strippel
Gilbert	Long	Rankin	Ulstad
Gilbertson	Lovrien	Rassler	Venard
Gilmore	McClune	Rewoldt	Vincent
Graham	Mathews	Rhinehart	Wamstad
Grimwood	Matthiesen	Robson	Weber
Hansen	Miller	Rust	Williams
Harrison	Moen	Saunders	Wilson
Hattendorf	Napier	Schirmer	Wolfe
Healy	Natvig	Schulte	Yenter
Held	Noble		Mr. Speaker—96

The nays were, none.

Absent or not voting:

Berry	Forsling	Hauge	Ramsey
Donhowe	Garber of Floyd	Knutson	Rumley
Elliott	Gesman	Lake	Sampson—12

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### INTRODUCTION OF BILL

House File No. 294, by McClune of Mahaska, a bill for an act to legalize the transfer of funds by the city council of the city of Oskaloosa.

Read first and second times and referred to committee on judiciary.

#### PROOF OF PUBLICATION OF HOUSE FILE NO. 294

The official proof of publication of House File No. 294, a bill for an act to legalize the transfer of funds by the city council of the city of Oskaloosa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

#### 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. 171, a bill for an act to amend, revise, and codify the law, relating to municipal corporations.

Also, that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House File No. 208, a bill for an act to amend, revise, and codify the law, relating to the banking department.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 208

Amend by striking out of lines 24 and 25, section 5, the following: "and their salaries to be fixed at rates no greater than that", and substitute in lieu thereof the following: "their salaries to be not greater than those".

#### SENATE MESSAGE CONSIDERED

Senate File No. 171, a bill for an act to amend, revise, and codify sections three thousand nine hundred fifty-five (3955), three thousand nine hundred fifty-six (3956), three thousand nine hundred sixty-four (3964) and three thousand nine hundred sixty-five (3965) of the compiled code of Iowa, and section three thousand nine hundred fifty-seven (3957) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

#### REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 134, a bill for an act to amend, revise, and codify sections thirty-one hundred eighty-nine (3189), thirty-one hundred ninety (3190), thirty-one hundred ninety-two (3192), and thirty-one hundred ninety-three (3193) of the compiled code of Iowa, relating to county attorneys, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section two (2) by striking therefrom all of subsection eleven (11) and renumbering subsection twelve (12) as eleven (11).

Amend section two (2), subsection seven (7), by striking out of line 28 thereof the words "or county" and substituting in lieu thereof the words "county, school or township". Also by striking out of lines 29

and 30 of the same section, the words "or county" and substituting therefor the words ", county, school or township".

Amend by striking out sections three (3) to eleven (11), both inclusive, of the bill, and inserting in lieu thereof the following:

That section ninety-two hundred eighty-one (9281) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 3. Filing by county attorney.

The county attorney may, at any time when the grand jury is not actually in session, file in the district court, either in term time or in vacation, an information charging a person with an indictable offense.

That section ninety-two hundred ninety-two (9292) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 4. Motion to set aside—grounds.

A motion to set aside the information may be made on one or more of the following grounds:

1. When it is not indorsed "a true information", and the indorsement signed by the county attorney.
2. When the minutes of evidence have not been filed with the information.
3. When the names of the witnesses named in such minutes of evidence are not indorsed on the information.
4. When the information has not been verified or filed in the manner herein required.
5. When the information has not been approved as required.

That section ninety-two hundred ninety-three (9293) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 5. Time of making motion—rulings of court.

Such motion must be made before a plea is entered by the accused. If not so made, the objection shall be deemed waived. If an objection is shown to be true, the court shall sustain said motion, unless the defects are corrected within such time as the court may order.

Sec. 6. Testimony.

The clerk of the district court, on application of the county attorney, shall issue subpoenas for such witnesses as the county attorney may require, and in such subpoenas shall direct the appearance of said witnesses before the county attorney at a specified time and place.

Sec. 7. Oath.

The county attorney shall have authority to administer oaths to said witnesses.

Sec. 8. Refusal.

In case a witness refuses to appear in obedience to said subpoena, or refuses to testify, the county attorney shall cause said witness to be taken before some judge of the district court of the county who shall

proceed with such refusal as though the said refusal had occurred before said judge in a trial in said court.

Sec. 9. Clerk of grand jury.

The county attorney in the taking of testimony, shall be entitled to the services of the clerk of the grand jury in those counties in which such clerk is regularly employed.

Sec. 10. Witness fees.

The witnesses aforesaid shall receive the same fees and mileage as is allowed witnesses in the district court, and shall be paid in the same manner in which witnesses before the grand jury are paid except that such fees and mileage shall be certified only by the county attorney.

Amend the title by inserting after the figures "thirty-one hundred ninety-three (3193)", the words and figures as follows: ", ninety-two hundred eighty-one (9281), ninety-two hundred ninety-two (9292), and ninety-two hundred ninety-three (9293)"; also amend by striking out the word "and" following the figures "(3192)".

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 256, a bill for an act to amend, revise, and codify sections sixty-six hundred forty-five (6645) and sixty-six hundred seventy-one (6671) of the compiled code of Iowa, and sections sixty-six hundred fifty-two (6652), sixty-six hundred seventy (6670), seventy-eight hundred forty-eight (7848), and seventy-eight hundred forty-eight-a one (7848-a1) of the supplement to said code, relating to the appointment and bonds of guardians, and to the sale or mortgage of the property of persons under guardianship, and of persons deceased, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

(1) Amend section one (1) by striking out of line 1 thereof the word "must" and inserting in lieu thereof the word "shall".

(2) Amend section four (4) by striking out of line 2 the words "sworn to" and inserting in lieu thereof the word "verified".

(3) Amend section six-a one (6-a1) by striking out of line 2 the word "company" and inserting in lieu thereof the word "county".

(4) Amend section six-a five (6-a5) by striking out of line 1 the word "selection" and inserting in lieu thereof the word "section".

C. F. CLARK, *Chairman.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the

House, he had signed in the presence of the House, the following bills: House Files Nos. 78, 102, 116 and 202.

• BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has on this 13th day of February, 1924, sent to the governor for his approval: House Files Nos. 78, 102, 116 and 202.

C. F. LETTS, *Chairman.*

Report adopted.

AMENDMENTS FILED

Garber of Adair filed the following amendment to Senate File No. 237:

Amend Senate File No. 237 by substituting for section two (2) thereof and all amendments thereto, the following:

"Sec. 2. Limitation.

No devise or bequest to a corporation organized under the chapter relating to corporations not for profit or to a foreign corporation of a similar character, or to a trustee for the use or benefit of any such corporation shall be valid in excess of one-fourth ( $\frac{1}{4}$ ) of the testator's estate after the payments of debts as against a spouse, child, issue of a deceased child, or parent surviving the testator, and only a spouse, child, issue of a deceased child or parent may contest any will on the grounds stated in this section."

Clark of Linn filed the following amendment to Senate File No. 93:

Amend Senate File No. 93 by striking out all of section two (2) thereof.

Donhowe of Story filed the following amendment to the amendments proposed by the committee on agriculture to House File No. 65:

Amend the amendments proposed by the committee on agriculture to House File No. 65 by striking from line two (2) of section three (3) following the word "that" the words "the department" and inserting in lieu thereof the word "they".

On motion of Brittain of Madison the House adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 14, 1924.

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

Prayer was offered by the Rev. Carl Brown, pastor of the M. E. church, Shannon City, Iowa.

Journal of February 13th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Doolittle of Delaware for the day, on request of Slemmons of Buchanan.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body, that the Senate has concurred in the House amendments to Sec. 4, Sec. 6, Sec. 19 and Sec. 42; and has refused to concur in the House amendments to Sec. 41-a1, to Senate File No. 187, a bill relating to eminent domain.

L. W. AINSWORTH, *Secretary*.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Donhowe of Story, House File No. 208, a bill for an act to amend, revise, and codify sections five thousand seven hundred forty-one (5741), five thousand seven hundred forty-two (5742), five thousand seven hundred forty-five (5745), five thousand seven hundred forty-nine (5749) and five thousand seven hundred fifty-two (5752) of the compiled code of Iowa, relating to the banking department, with Senate amendments found in the House Journal of February 13th, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Gibson	Mathews	Sampson
Webster	Gilbert	Matthiesen	Saunders
Blake	Gilbertson	Moen	Schulte
Bradley	Grimwood	Napier	Scott of
Brady	Harrison	Natvig	Appanoose
Brittain	Hattendorf	Noble	Scott of Fremont
Buffington	Hauge	O'Donnell	Smith of
Carter	Healy	Oliver	Chickasaw
Children	Hempel	Olson	Stock
Clark	Henderson	Parsons	Stookesberry
Colbert	Himebauch	Peterson	Storey
Cole	Johnson	Potts	Strippel
Criswell	King	Powers	Venard
Donhowe	Leonard	Quirk	Wamstad
Dooley	Letts	Ramsey	Weber
Edson	Lichty	Rankin	Williams
Fackler	Lieberknecht	Rhinehart	Wilson
Frahm	Long	Robson	Mr. Speaker—72
Gallagher	Lovrien	Rumley	

The nays were:

Blume Orr—2

Absent or not voting:

Aiken	Garber of Adair	Knutson	Schirmer
Berry	Garber of Floyd	Lake	Slemmons
Dewar	Gesman	McClune	Smith of Lucas
Diltz	Gilmore	Miller	Ulstad
Doolittle	Graham	Ontjes	Vincent
Dotts	Hansen	Patterson	Wolfe
Edge	Held	Rassler	Yenter—34
Elliott	Hollis	Rewoldt	
Forsling	Huff	Rust	

The House concurred in the Senate amendments to House File No. 208.

#### HOUSE RECEDES FROM AMENDMENT

Clark of Linn moved that the House recede from its amendment which added section forty-one-a one (41-a1) to Senate File No. 187.

On the question "Shall the House recede from its amendment which added section forty-one-a one (41-a1) to Senate File No. 187?"

The ayes were:

Aiken	Buffington	Diltz	Frahm
Anderson of	Carter	Dooley	Gallagher
Webster	Children	Dotts	Garber of Floyd
Brady	Colbert	Edson	Gibson
Brittain	Cole	Fackler	Gilbert

Graham	Lichty	Peterson	Smith of
Grimwood	Lieberknecht	Potts	Chickasaw
Harrison	Long	Powers	Smith of Lucas
Hattendorf	Lovrien	Quirk	Stock
Hauge	McClune	Ramsey	Storey
Healy	Mathews	Rankin	Strippel
Held	Matthiesen	Robson	Venard
Hempel	Moen	Rumley	Vincent
Henderson	Napier	Rust	Wamstad
Hollis	Natvig	Sampson	Weber
Huff	Noble	Saunders	Williams
Johnson	O'Donnell	Schirmer	Wilson
King	Oliver	Scott of	Wolfe
Lake	Orr	Appanoose	Mr. Speaker—79
Leonard	Parsons	Scott of Fremont	
Letts	Patterson	Slemmons	

The nays were:

Blake	Dewar	Himebauch	Rhinehart
Blume	Edge	Miller	Schulte
Clark	Garber of Adair	Ontjes	Stookesberry—15
Criswell	Gilmore	Rassler	

Absent or not voting:

Berry	Elliott	Hansen	Ulstad
Bradley	Forsling	Knutson	Yenter—14
Donhowe	Gesman	Olson	
Doolittle	Gilbertson	Rewoldt	

The House receded from its amendment which added section 41-a1 to Senate File No. 187.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Hauge of Polk, House File No. 180, a bill for an act to amend, revise and codify sections four thousand seventy-one (4071), four thousand seventy-two (4072), four thousand seventy-three (4073), four thousand seventy-nine (4079), four thousand eighty-two (4082), and four thousand eighty-five (4085) of the compiled code of Iowa, relating to municipal corporations, with Senate amendments, found in the House Journal of February 9th, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Bradley	Carter	Dewar
Webster	Brady	Children	Donhowe
Berry	Brittain	Clark	Dooley
Blake	Buffington	Criswell	Dotts

Edson	King	Patterson	Scott of Fremont
Fackler	Lake	Peterson	Slemmons
Gallagher	Leonard	Potts	Smith of
Garber of Adair	Letts	Powers	Chickasaw
Garber of Floyd	Lieberknecht	Quirk	Smith of Lucas
Gibson	Long	Ramsey	Stock
Gilbert	Lovrien	Rankin	Stookesberry
Gilmore	McClune	Rassler	Storey
Graham	Mathews	Rhinehart	Strippel
Grimwood	Matthiesen	Robson	Venard
Hattendorf	Moen	Rumley	Vincent
Hauge	Napier	Rust	Wamstad
Healy	Natvig	Sampson	Weber
Held	Noble	Saunders	Wilson
Hempel	O'Donnell	Schirmer	Wolfe
Henderson	Olson	Schulte	Mr. Speaker—83
Hollis	Orr	Scott of	
Huff	Parsons	Appanoose	

The nays were:

Blume	Frahm	Johnson	Oliver
Edge	Himebauch	Miller	Ontjes—8

Absent or not voting:

Aiken	Elliott	Hansen	Rewoldt
Colbert	Forsling	Harrison	Ulstad
Cole	Gesman	Knutson	Williams
Diltz	Gilbertson	Lichty	Yenter—17
Doolittle			

The House concurred in the Senate amendments to House File No. 180.

#### CONSIDERATION OF BILLS

Senate File No. 237, a bill for an act to amend, revise, and codify sections seven thousand seven hundred ninety-one (7791), seventy-eight hundred nineteen (7819), seven thousand eight hundred twenty-nine (7829), and seven thousand eight hundred thirty (7830) of the compiled code of Iowa, and sections seven thousand eight hundred thirty-two-a one (7832-a1) to seven thousand eight hundred thirty-two-a four (7832-a4), inclusive, of the supplement to said code, relating to wills and letters of administration, was taken up for further consideration.

By unanimous consent the substitute amendment filed by Garber of Adair on February 13th was withdrawn.

By unanimous consent the amendment filed by Hauge of Polk on February 6th, as amended, was withdrawn.

Edson of Buena Vista offered the following amendment:

Amend section two (2) of Senate File No. 237 by adding after the word

"testator" in line six (6) the following: "and if such spouse, child, issue of a deceased child, or parent object to the payment of such device or bequest".

Diltz of Polk offered the following amendment to the amendment by Edson of Buena Vista:

Amend the amendment by Edson of Buena Vista by inserting after the word "object" the following: "in writing filed within one year from the date of the probating of the will".

#### SPECIAL ORDER NO. 1

Time having arrived for Special Order No. 1, the Senate amendments to House File No. 213, a bill for an act to amend, revise, and codify sections sixty-five hundred eighty-nine (6589), sixty-five hundred ninety (6590), sixty-five hundred ninety-six (6596) and sixty-six hundred (6600) of the compiled code of Iowa, and sections sixty-six hundred thirty-seven (6637) and eighty-six hundred eighteen (8618) of the supplement to said code, relating to marriages and incest, were taken up for consideration.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 213

Amend the title by striking the period (.) at the end of such title and by inserting in lieu thereof a semi-colon and by adding the following: "and to require certain qualifications for all applicants for marriage licenses."

Amend by striking out all of section 1-a1.

Amend by adding as additional sections at the close of section two thereof the following:

"Sec. 2-a1. No license to marry shall be issued by the clerk to any male person before there shall have been presented to said clerk a certificate executed within ten days preceding the application by a reputable physician stating that the physician has made a thorough examination of the applicant and has no reason to believe that the applicant has any venereal disease.

Sec. 2-a2. Such certificate shall be executed by some reputable physician licensed to practice medicine or surgery in this state. Any physician who shall knowingly or wilfully make any false statement in the certificate hereinabove provided for shall be guilty of perjury and be punished accordingly.

Sec. 2-a3. No license to marry shall be issued by the clerk to any person who is an idiot or an imbecile or who is under guardianship on account of being a person of unsound mind; and the clerk may require proof to be made accordingly by affidavit or in some other satisfactory manner.

Sec. 2-a4. Any clerk of the district court who shall issue a license to marry without the presentation of the physician's certificate as above

provided, or who shall knowingly and wilfully issue such license contrary to the provisions of this act shall be guilty of misdemeanor and shall be punished accordingly."

The following amendment filed by Diltz of Polk to the Senate amendments was taken up for consideration:

Amend the Senate amendment to section 1-a1 of House File No. 213 by striking the period at the end of said amendment and adding thereto the following: "and substituting in lieu thereof the words 'Except as otherwise provided, an application for marriage license shall be in writing, signed by one of the contracting parties, and filed in the office of the clerk of the district court at least five days prior to the issuance of said license. A judge of a court of record may in the case of an emergency authorize the issuance of a license by endorsement on the application before the expiration of five days from the date of said application.'"

On motion of Mr. Diltz the amendment to the Senate amendment was adopted.

Mathews of Des Moines offered the following amendments to the Senate amendments and moved their adoption:

Amend the Senate amendments to House File No. 213 by striking from section two-a two (2-a2) the words "some reputable physician licensed to practice medicine or surgery in this state" and inserting in lieu thereof the words "the county or city physician without expense to the applicant".

Also, amend by striking from section two-a one (2-a1) the words "a reputable physician" and inserting in lieu thereof the words "the county or city physician".

Amendments to the Senate amendments rejected.

Criswell of Boone offered the following amendment to the Senate amendments and moved its adoption:

Amend Senate amendments to House File No. 213 by striking from line two (2) of section two-a one (2-a1) the word "male".

On motion of Clark of Linn the House adjourned until 2:30 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Dewar of Cherokee for the afternoon, on request of Donhowe of Story.

## BUSINESS PENDING

The House resumed consideration of the Senate amendments to House File No. 213.

The question was on the amendment by Criswell of Boone to the Senate amendments.

Clark of Linn moved that further debate on the Senate amendments and the amendments proposed thereto be limited to five minutes for each speaker.

Motion prevailed.

On the question "Shall the amendment by Criswell of Boone to the Senate amendments be adopted?" a roll call was demanded.

The ayes were:

Aiken	Gallagher	Long	Rewoldt
Anderson of	Garber of Adair	McClune	Rumley
Webster	Garber of Floyd	Mathews	Rust
Berry	Gibson	Matthiesen	Schulte
Blume	Gilbert	Miller	Scott of Fremont
Brady	Gilbertson	Napier	Slemmons
Carter	Graham	Natvig	Smith of
Children	Hansen	Noble	Chickasaw
Colbert	Harrison	O'Donnell	Smith of Lucas
Cole	Hattendorf	Oliver	Stookesberry
Criswell	Healy	Olson	Ulstad
Dooley	Hempel	Orr	Wamstad
Dotts	Huff	Patterson	Weber
Edge	Johnson	Potts	Wolfe
Edson	King	Powers	Yenter—64
Elliott	Lake	Quirk	
Fackler	Leonard	Rankin	

The nays were:

Blake	Hauge	Moen	Scott of
Bradley	Held	Ontjes	Appanoose
Brittain	Henderson	Parsons	Stock
Buffington	Himebauch	Peterson	Storey
Clark	Hollis	Ramsey	Strippel
Diltz	Knutson	Rhinehart	Venard
Donhowe	Letts	Robson	Vincent
Frahm	Lichty	Sampson	Williams
Gilmore	Lieberknecht	Saunders	Wilson
Grimwood	Lovrien	Schirmer	Mr. Speaker—39

Absent or not voting:

Dewar	Forsling	Gesman	Rassler—5
Doolittle			

The amendment offered by Criswell of Boone to the Senate amendments was adopted.

Lovrien of Humboldt offered the following amendment to the Senate amendments and moved its adoption:

Amend section two-a one (2-a1) of the Senate amendments to House File No. 213 by adding at the end of said section the following: "Such certificate shall show whether or not a laboratory test was made as a part of such examination".

Amendment to the Senate amendments adopted.

Blake of Fayette offered the following amendment to the Senate amendments and moved its adoption:

Amend section two-a one (2-a1) of the Senate amendments to House File No. 213 by striking out the words "within ten (10) days preceding the application" in lines four (4) and five (5) thereof and by inserting after the word "applicant" in line seven (7) of said section the words "within ten (10) days preceding the filing of the application".

Amendment to the Senate amendments adopted.

Harrison of Pottawattamie offered the following amendments to the Senate amendments and moved their adoption:

Amend the Senate amendments, as amended, by striking out all of sections two-a one (2-a1) and two-a two (2-a2). Also amend by striking from section two-a four (2-a4) in lines one (1), two (2) and three (3), the following: "who shall issue a license to marry without the presentation of the physician's certificate as above provided, or".

Mathews of Des Moines moved the previous question as applied to the amendments by Harrison of Pottawattamie.

Motion lost.

Debate on the amendments continued.

Anderson of Webster moved the previous question as applied to the amendments by Harrison of Pottawattamie.

Motion prevailed.

On the question "Shall the amendments by Harrison of Pottawattamie to the Senate amendments be adopted?" a roll call was demanded.

The ayes were:

Aiken	Colbert	Graham	Leonard
Anderson of	Cole	Harrison	Long
Webster	Dooley	Hattendorf	Matthiesen
Berry	Dotts	Hempel	Miller
Blume	Frahm	Huff	Napier
Children	Gilbertson	Knutson	Natvig

Noble	Potts	Slemmons	Wolfe
O'Donnell	Powers	Stookesberry	Mr. Speaker—36
Orr	Scott of	Ulstad	
Patterson	Appanoose	Wamstad	

The nays were:

Blake	Gilbert	Mathews	Saunders
Bradley	Gilmore	Moen	Schirmer
Brady	Grimwood	Oliver	Schulte
Brittain	Hansen	Olson	Scott of Fremont
Buffington	Hauge	Ontjes	Smith of
Carter	Healy	Parsons	Chickasaw
Clark	Held	Peterson	Smith of Lucas
Criswell	Henderson	Quirk	Stock
Diltz	Himebauch	Ramsey	Storey
Donhowe	Hollis	Rankin	Strippel
Edge	Johnson	Rassler	Venard
Edson	King	Rhinehart	Vincent
Elliott	Letts	Robson	Weber
Gallagher	Lichty	Rumley	Williams
Garber of Adair	Lieberknecht	Rust	Wilson
Garber of Floyd	Lovrien	Sampson	Yenter—63

Absent or not voting:

Dewar	Forsling	Gibson	McClune
Doolittle	Gesman	Lake	Rewoldt—9
Fackler			

Amendments offered by Harrison of Pottawattamie to the Senate amendments were rejected.

Clark of Linn moved that the House concur in the Senate amendments, as amended, to House File No. 213.

Diltz of Polk moved the previous question.

Motion prevailed.

On the question "Shall the House concur in the Senate amendments, as amended, to House File No. 213?"

The ayes were:

Blake	Gilmore	Lieberknecht	Sampson
Bradley	Graham	Lovrien	Saunders
Brittain	Grimwood	McClune	Schirmer
Buffington	Hauge	Mathews	Scott of Fremont
Carter	Healy	Parsons	Smith of
Clark	Held	Peterson	Chickasaw
Criswell	Henderson	Quirk	Storey
Diltz	Himebauch	Ramsey	Strippel
Donhowe	Hollis	Rankin	Venard
Edge	Johnson	Rassler	Vincent
Edson	King	Rhinehart	Weber
Elliott	Knutson	Robson	Williams
Garber of Adair	Letts	Rumley	Wilson
Gilbert	Lichty	Rust	Yenter—55

## The nays were:

Aiken	Gallagher	Napier	Scott of
Anderson of	Garber of Floyd	Natvig	Appanoose
Webster	Gilbertson	Noble	Slemmons
Berry	Hansen	O'Donnell	Smith of Lucas
Blume	Harrison	Oliver	Stock
Brady	Hattendorf	Olson	Stookesberry
Children	Hempel	Ontjes	Ulstad
Colbert	Huff	Orr	Wamstad
Cole	Leonard	Patterson	Wolfe
Dooley	Long	Potts	Mr. Speaker—47
Dotts	Matthiesen	Powers	
Fackler	Miller	Rewoldt	
Frahm	Moen	Schulte	

## Absent or not voting:

Dewar	Forsling	Gibson	Lake--6
Doolittle	Gesman		

The House concurred in the Senate amendments, as amended, to House File No. 213.

Clark of Linn moved that the House reconsider the vote by which the House concurred in the Senate amendments, as amended, and that the motion to reconsider be laid upon the table.

On the question "Shall the House lay the motion to reconsider the vote by which the House concurred in the Senate amendments, as amended, to House File No. 213, on the table?"

## The ayes were:

Blake	Gilbert	Lieberknecht	Saunders
Bradley	Gilmore	Lovrien	Schirmer
Brittain	Grimwood	Parsons	Scott of Fremont
Buffington	Hauge	Peterson	Smith of
Carter	Healy	Quirk	Chickasaw
Clark	Held	Ramsey	Storey
Colbert	Henderson	Rankin	Venard
Criswell	Himebauch	Rassler	Vincent
Donhowe	Hollis	Rhinehart	Weber
Edge	King	Robson	Williams
Edson	Knutson	Rumley	Wilson
Gallagher	Letts	Rust	Yenter—50
Garber of Adair	Lichty	Sampson	

## The nays were:

Aiken	Cole	Gilbertson	Johnson
Anderson of	Dooley	Graham	Leonard
Webster	Dotts	Hansen	Long
Berry	Elliott	Harrison	McClune
Blume	Fackler	Hattendorf	Mathews
Brady	Frahm	Hempel	Matthiesen
Children	Garber of Floyd	Huff	Miller

Moen .	Ontjes	Scott of	Ulstad
Napier	Orr	Appanoose	Wamstad
Natvig	Patterson	Slemmons	Wolfe
Noble	Potts	Smith of Lucas	Mr. Speaker—51
O'Donnell	Powers	Stock	
Oliver	Rewoldt	Stookesberry	
Olson	Schulte	Strippel	

Absent or not voting:

Dewar	Doolittle	Gesman	Lake—7
Diltz	Forsling	Gibson	

Motion to lay on the table 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 passed the following bill, in which the concurrence of the House is asked:

Senate File No. 41, a bill for an act to amend, revise, and codify the law relating to coal mines and mining.

Also, that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House File No. 198, a bill for an act to amend, revise, and codify the law relating to schedules of rates and charges by common carriers.

Also, that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House File No. 128, a bill for an act to amend, revise, and codify the law relating to private use of highways.

Also, that the Senate insists on its amendments to House File No. 212, a bill relating to certain special liens, and requests the appointment of a conference committee. The President has appointed as such conference committee on the part of the Senate: Senators Mantz, Perkins, Hartman, and Brookins.

L. W. AINSWORTH, *Secretary*.

#### SENATE MESSAGE CONSIDERED

Senate File No. 41, a bill for an act to amend, revise, and codify chapter one (1) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to coal mines, and mining.

Read first and second times and referred to committee on mines and mining.

#### AMENDMENTS FILED

Brittain of Madison filed the following amendments to House File No. 266:

Amend House File No. 266 as follows:

Strike out section 7 and insert in lieu thereof the following:

"Sec. 7. Appointment.

In all counties not having situated therein a city with a population of fifteen thousand (15,000) or more, the clerk of the district court, the county auditor and the county recorder shall ex officio constitute the jury commission to draw jurors, but shall receive no extra compensation as such. In all other counties, the judge or judges of the district court of each judicial district shall, on or before October first of each year in which the biennial county election is held, appoint three (3) competent electors as a jury commission to select the grand and petit jurors and talesmen for the two (2) years beginning January first after such election."

Amend section 8, line 1, by inserting the word "appointive" before the word "commission".

Also amend section 8, line 4, by inserting after the word "officer" the words "or attorney at law".

Amend section 10, line 1, by inserting before the word "commissioner" the word "appointive".

Amend section 11, line 1, by inserting before the word "commission" the word "appointive".

Amend section 12, line 1, by inserting before the word "commissioners" the word "appointive".

Strike out section 13 and insert in lieu thereof the following:

"Sec. 13. Instructions.

It shall be the duty of the judges of the district court to give instructions to appointive jury commissioners at the time of their appointment as to their duties, and to call their especial attention to the provisions of section seventeen (17) hereof. When the county auditor transmits the certificate of apportionment of jurors to the judges of the several election precincts, he shall call the attention of such judges to their duties, especially as set forth in section seventeen (17) hereof."

Amend section 14, line 1, by inserting before the word "commissioner" the word "appointive".

Amend section 15, line 1, by inserting before the word "commissioners" the word "appointive".

Strike out section 15-a1.

Amend section 16, line 1, by inserting before the word "jury" the word "appointive".

Also amend section 16, line 4, by striking out the word "appointment" and inserting in lieu thereof the word "apportionment".

Amend section 17, line 1, by inserting before the word "commission" the word "appointive".

Also amend section 17, line 11, by striking out the words "time of the meeting of the commission" and inserting in lieu thereof the words "last biennial election".

Amend section 19, line 1, by inserting before the word "commission" the word "appointive".

Also amend section 19, line 7, by striking out the word "the" and inserting in lieu thereof the word "such".

Amend section 20, line 1, by inserting before the word "commission" the word "appointive".

Also amend section 20, line 2, by striking out the word "the" before the word "commission" and inserting in lieu thereof the word "said".

Also amend section 20, lines 5 and 6, by striking out the words "time of the meeting of the commission" and inserting in lieu thereof the words "last biennial election".

Insert after section 21 the following:

"Sec. 21-a1. Apportionment among precincts.

The county auditor, in counties having an ex officio commission, shall, prior to furnishing the election judges the poll books, apportion the number of grand and petit jurors to be selected from among the several election precincts, and the talesmen among the precincts from which the same are to be drawn, in each case as nearly as practicable in proportion to the number of votes polled in each precinct at the last preceding general election. Such apportionment shall be computed on the same basis as provided in section sixteen (16) hereof.

Sec. 21-a2. Certification of apportionment to election judges.

In all counties having an ex officio jury commission the county auditor shall at the time of the furnishing of the poll books to the judges of election furnish them also a certified statement of the number of persons apportioned to the respective precincts to be returned for each grand and petit jury list. He shall also furnish the judges of election in the city or town in which the district court is held and in the township or townships in which the said city or town is located, with a certified statement of the number of persons to be returned as talesmen. He shall also furnish the judges of each election precinct in the county with the names of all persons who have served as grand or petit jurors since January first preceding.

Sec. 21-a3. Duties of judges of election.

The judges of election of the several precincts shall make selection of the requisite number of persons to serve as grand and petit jurors, and of talesmen, if any, and return separate lists of the names so selected to the county auditor with the return of the election, but shall not place on said lists the name of any person described in section seventeen (17) hereof.

Sec. 21-a4. Lists by board of supervisors.

If the judges of election in any precinct fail to return any list as provided in the preceding section, the board of supervisors shall, at the meeting held to canvass the votes cast at such election, make and certify such list or lists for the delinquent precincts, and the auditor shall

file such certified lists in his office and cause copies thereof to be recorded in the proper election books."

Amend section 22 by striking out the first four lines and inserting the following in lieu thereof:

"When the jury lists are completed, they shall be separately certified by the appointive commissioners, or by the judges of election for each precinct, as the case may be, in substantially the following form:

We, ....., and .....,  
constituting the appointive commission for ..... county,

Or

We, ....., and ....., the  
judges of election for the ..... precinct of ..... county,  
do hereby certify".

Also amend section 22 by adding at the end thereof the following:

"Or

.....  
.....  
.....  
Judges of election for.....  
precinct, ..... county, Iowa.

Amend by striking out section 23 and substituting the following in lieu thereof:

"Sec. 23. Filing commissioners' lists.

The appointive commissioners shall, after so certifying said lists, place the same in envelopes and on or before the first Monday of December of the year in which such lists are made, deposit the same with the county auditor, who shall file and record the same in the proper record.

Sec. 23-a1. Filing election judges' lists.

The jury lists returned by the judges of election together with the lists prepared by the board of supervisors, if any, shall, on or before the day stated in the preceding section, be filed with and recorded by the county auditor."

Amend section 24 by striking out of line 5 the words "meeting of such commission" and inserting in lieu thereof the words "biennial election".

Amend section 25, line 5, by striking out the words "by the jury commission".

Amend section 30, line 1, by inserting after the word "drawn" the words "by the ex officio commission".

Amend the bill by striking out all of section 31 and inserting in lieu thereof the following:

"Sec. 31. Notice of drawing.

The said clerk shall, at least five (5) days prior to the day of such

drawing, notify in writing the other members of the ex officio commission of the time and place of such drawing."

Amend by striking out all of section 32 and inserting in lieu thereof the following:

"Sec. 32. Meeting of commissioners.

The members of the ex officio jury commission or a majority thereof shall meet at the time and place fixed and shall draw from the petit jury box the required number of names of persons to serve as petit jurors, and the persons whose names are so drawn shall constitute the petit jurors for the next ensuing term of the court. In the absence or inability to act of any one of the ex officio jury commissioners, his deputy shall act as such commissioner in his stead."

Amend by striking out all of section 33.

Amend section 34, line 2, by striking out the word "officers" and inserting in lieu thereof the word "commissioners".

Also amend section 34, line 4, by striking out the words "said officers" and inserting in lieu thereof the words "the commissioners".

Also amend section 34 by striking out of line 7 the words "or officers,".

Amend section 48, by striking out the comma (,) after the word "panel" in line 3, and inserting a period (.) in lieu thereof, and striking out all of the remainder of the section.

Amend section 54, line 2, by inserting before the word "disability" the words "ineligibility or":

Amend by striking out all of section 58.

Venard of Sioux filed the following amendment to Substitute for House File No. 178:

Amend the Substitute for House File No. 178 by adding after section 3 of the bill the following:

"Sec. 3-a1. Any city of the second class having less than five thousand (5,000) population according to the last state or national census, which owns and operates a combined electric light, power and water plant, or electric light and power plant, may, when authorized by a vote of the people at a general election or a special election called for that purpose, mortgage the said plant or plants and the net revenues to be derived therefrom as a security for the payment of the bonds to be issued for the purpose of reconstructing and enlarging such plant or plants and acquiring a site therefor.

Sec. 3-a2. Such bonds shall bear not to exceed six per cent (6%) interest and be due not more than twenty (20) years after date of issue and shall be payable only out of the said net revenues of such plant or plants or from a sale thereof on foreclosure. Failure to pay interest within ninety (90) days after due shall entitle the holder of the mortgage to foreclose, in which case the laws of this state relative to foreclosure of real estate mortgages shall govern.

Sec. 3-a3. In case of foreclosure such cities shall grant to the pur-

chaser thereat and his successors and assigns a franchise to operate the same for a period of twenty-five (25) years, reserving therein, however, to said city the power to compel the holder of the franchise to furnish reasonable service to the inhabitants of said city at reasonable rates and to be subject to reasonable regulations. The holders of the bonds shall look alone to the security on the plant and the revenues thereof for the payment of such bonds and the city shall not be liable therefor."

Diltz of Polk filed the following amendment to Senate File No. 237:

Amend the amendment by Edson of Buena Vista to Senate File No. 237, section two (2), by adding to the said amendment after the word "bequest" the following: "Such objection shall be in writing and filed with the clerk of the district court within ten (10) months from the date of the probate of the will."

On motion of Rankin of Lee the House adjourned until 9:30 a. m. Friday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 15, 1924.

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

Prayer was offered by the Rev. C. V. Pence, pastor of the Christian church, Jefferson, Iowa.

Journal of February 14th corrected and approved.

## PETITIONS

Carter of Hardin presented petitions from members of Salem Evangelical church and members of the Women's Foreign Missionary Society of Hubbard, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Yenter of Johnson for the remainder of the week, on request of Ramsey of Butler; Gibson of Clarke for the remainder of the week, on request of Grimwood of Jones; Gesman of Marion indefinitely, on request of Potts of Lee.

## CONSIDERATION OF BILLS

Senate File No. 237, a bill for an act to amend, revise, and codify sections seven thousand seven hundred ninety-one (7791), seventy-eight hundred nineteen (7819), seven thousand eight hundred twenty-nine (7829), and seven thousand eight hundred thirty (7830) of the compiled code of Iowa, and sections seven thousand eight hundred thirty-two-a one (7832-a1) to seven thousand eight hundred thirty-two-a four (7832-a4), inclusive, of the supplement to said code, relating to wills and letters of administration, was taken up for further consideration.

By unanimous consent the amendment by Diltz of Polk to the amendment by Edson of Buena Vista, found on page 733 of the Journal of February 14th, was withdrawn.

The following amendment by Edson of Buena Vista was taken up for consideration:

Amend section two (2) of Senate File No. 237 by adding after the word "testator" in line six (6) the following: "and if such spouse, child, issue of a deceased child, or parent object to the payment of such device or bequest".

The following amendment filed by Diltz of Polk to the amendment by Edson of Buena Vista was taken up for consideration:

Amend the amendment by Edson of Buena Vista to Senate File No. 237, section two (2), by adding to the said amendment after the word "bequest" the following: "Such objection shall be in writing and filed with the clerk of the district court within ten (10) months from the date of the probate of the will."

On motion of Edson of Buena Vista the amendment to the amendment was adopted.

Clark of Linn offered the following amendment to the amendment by Edson of Buena Vista, as amended, and moved its adoption:

Amend the amendment by Edson of Buena Vista, as amended, by striking therefrom the word "issue" and inserting in lieu thereof the word "child".

Amendment to the amendment adopted.

#### SPECIAL ORDER NO. 2

The hour having arrived for Special Order No. 2, House File No. 266, a bill for an act relating to jurors, was taken up for consideration.

On request of Clark of Linn, unanimous consent having been obtained, action on House File No. 266 was deferred and the bill was made a special order for Wednesday, February 20th, at 10:00 a. m.

The House proceeded with the consideration of Senate File No. 237.

Donhowe of Story moved the previous question as applied to the amendment by Edson of Buena Vista.

Motion prevailed.

On the question "Shall the amendment by Edson of Buena Vista, as amended, be adopted?" a roll call was demanded.

The ayes were:

Carter	Grimwood	Olson	Stookesberry
Clark	Hauge	Orr	Vincent
Diltz	Henderson	Rust	Wamstad—17
Edson	Himebauch	Sampson	
Garber of Adair	Johnson		

The nays were:

Aiken	Frahm	Lovrien	Rhinehart
Anderson of Webster	Gallagher	McClune	Rumley
Berry	Garber of Floyd	Mathews	Saunders
Blake	Gilbert	Matthiesen	Schirner
Blume	Gilbertson	Miller	Schulte
Bradley	Gilmore	Moen	Scott of Appanoose
Brady	Graham	Napier	Scott of Fremont
Brittain	Hansen	Natvig	Slemmons
Buffington	Harrison	Noble	Smith of Chickasaw
Children	Hattendorf	O'Donnell	Smith of Lucas
Colbert	Healy	Oliver	Stock
Cole	Held	Ontjes	Storey
Criswell	Hempel	Parsons	Strippel
Dewar	Hollis	Patterson	Ulstad
Donhowe	Huff	Peterson	Venard
Dooley	King	Potts	Weber
Doolittle	Lake	Powers	Williams
Dotts	Leonard	Quirk	Wilson
Edge	Letts	Ramsey	Wolfe
Fackler	Lichty	Rankin	Mr. Speaker—85
Forsling	Lieberknecht	Rassler	
	Long	Rewoldt	

Absent or not voting:

Elliott	Gibson	Robson	Yenter—6
Gesman	Knutson		

Amendment offered by Edson of Buena Vista, as amended, was rejected.

Clark of Linn offered the following amendment and moved its adoption:

Amend Senate File No. 237, section two (2), line five (5), by striking therefrom the word "issue" and inserting in lieu thereof the word "child".

Amendment adopted.

Vincent of Guthrie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gallagher	Lovrien	Rust
Webster	Garber of Adair	McClune	Sampson
Berry	Garber of Floyd	Mathews	Saunders
Blake	Gilbert	Miller	Schirmer
Blume	Gilbertson	Moen	Schulte
Bradley	Gilmore	Napier	Scott of
Brady	Graham	Natvig	Appanoose
Brittain	Grimwood	Noble	Scott of Fremont
Buffington	Hansen	O'Donnell	Slemmons
Carter	Harrison	Oliver	Smith of
Children	Hattendorf	Olson	Chickasaw
Clark	Hauge	Ontjes	Smith of Lucas
Colbert	Healy	Orr	Stock
Cole	Held	Parsons	Stookesberry
Criswell	Henderson	Patterson	Storey
Dewar	Himebauch	Peterson	Strippel
Diltz	Holls	Potts	Ulstad
Donhowe	Huff	Powers	Venard
Dooley	Johnson	Quirk	Vincent
Doolittle	King	Ramsey	Wamstad
Dotts	Lake	Rankin	Weber
Edge	Leonard	Rassler	Williams
Edson	Letts	Rewoldt	Wilson
Fackler	Lichty	Rhinehart	Wolfe
Forsling	Lieberknecht	Robson	Mr. Speaker—100
Frahm	Long	Rumley	

The nays were, none.

Absent or not voting:

Alken	Gesman	Hempel	Matthiesen
Elliott	Gibson	Knutson	Yenter—8

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 254, a bill for an act to amend, revise, and codify chapter seven (7) of title twenty-four (24), sections eighty-four hundred twenty-nine (8429) and eighty-four hundred thirty (8430) of the compiled code of Iowa, and sections eighty-four hundred twenty-seven (8427) and eighty-four hundred twenty-eight (8428) of the supplement to said code, relating to bonds for the performance of contracts for public improvements, and to the rights of persons who furnish labor or materials on such improvements, was taken up for further consideration.

By unanimous consent the amendments filed by Children of Pottawattamie on February 8th and February 12th were withdrawn.

Parsons of Calhoun offered the following amendment and moved its adoption:

Amend House File No. 254, section one (1), subsection two (2), by striking out lines eight (8) and nine (9) and substituting in lieu thereof the following: "except in cases of public improvement for drainage or levee purposes the provisions of the drainage law in cases of conflict shall govern".

Amendment adopted.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	McClune	Saunders
Anderson of Webster	Garber of Floyd Gilbert	Mathews Matthiesen	Schirmer Schulte
Berry	Gilbertson	Moen	Scott of
Blake	Gilmore	Napier	Appanoose
Blume	Graham	Natvig	Scott of Fremont
Bradley	Grimwood	Noble	Slemmons
Brady	Hansen	O'Donnell	Smith of
Brittain	Hattendorf	Oliver	Chickasaw
Buffington	Healy	Olson	Smith of Lucas
Carter	Held	Ontjes	Stock
Clark	Henderson	Orr	Stookesberry
Cole	Himebauch	Parsons	Storey
Criswell	Hollis	Patterson	Strippel
Dewar	Huff	Peterson	Ulstad
Diltz	Johnson	Potts	Venard
Donhowe	King	Powers	Vincent
Dooley	Lake	Quirk	Wamstad
Doolittle	Leonard	Ramsey	Weber
Dotts	Letts	Rankin	Williams
Edge	Lichty	Rewoldt	Wilson
Edson	Lieberknecht	Robson	Wolfe
Fackler	Long	Rumley	Mr. Speaker—92
Frahm	Lovrien	Rust	

The nays were:

Children—1

Absent or not voting:

Colbert	Gesman	Hempel	Rhinehart
Elliott	Gibson	Knutson	Sampson
Forsling	Harrison	Miller	Yenter—15
Garber of Adair	Hauge	Rassler	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 93, a bill for an act to amend, revise, and codify sections two thousand three hundred ninety-six (2396),

two thousand three hundred ninety-seven (2397), and two thousand four hundred fifteen (2415) of the compiled code of Iowa, relating to the Iowa state college of agriculture and mechanic arts, with report of committee recommending passage, was taken up for consideration.

The following amendment filed by Clark of Linn was taken up for consideration:

Amend Senate File No. 93 by striking out all of section two (2) thereof.

Mr. Clark moved the adoption of the amendment.

Children of Pottawattamie offered the following amendment and moved that it be substituted for the amendment offered by Clark of Linn:

Amend Senate File No. 93 by striking out all of section two (2) and substituting in lieu thereof the following:

"Tuition in the various departments of the college shall be in such amount for each semester or other subdivision of the school year as may be fixed and determined from time to time by the state board of education. Students of the college shall be charged such laboratory and other fees, and nonresident students such tuition in addition thereto as may be fixed by the state board of education."

Motion to substitute the amendment lost.

The amendment by Clark of Linn was adopted.

Edson of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Diltz	Graham	Lieberknecht
Anderson of Webster	Donhowe	Grimwood	Long
Berry	Dooley	Harrison	Lovrien
Blake	Doolittle	Hattendorf	McClune
Blume	Dotts	Healy	Mathews
Bradley	Edge	Held	Matthiesen
Brady	Edson	Hempel	Moen
Brittain	Fackler	Henderson	Napier
Buffington	Forsling	Himebauch	Natvig
Carter	Frahm	Hollis	Oliver
Children	Gallagher	Johnson	Olson
Clark	Garber of Adair	King	Ontjes
Colbert	Garber of Floyd	Lake	Patterson
Cole	Gilbert	Leonard	Parsons
Criswell	Gilbertson	Letts	Peterson
	Gilmore	Lichty	Powers

Quirk	Schirmer	Stock	Weber
Ramsey	Scott of	Stookesberry	Williams
Rewoldt	Appanoose	Storey	Wilson
Rhinehart	Scott of Fremont	Strippel	Wolfe
Rumley	Slemmons	Ulstad	Mr. Speaker—90
Rust	Smith of	Venard	
Sampson	Chickasaw	Vincent	
Saunders	Smith of Lucas	Wamstad	

The nays were:

Orr                      Rassler—2

Absent or not voting:

Dewar	Hansen	Miller	Rankin
Elliott	Hauge	Noble	Robson
Gesman	Huff	O'Donnell	Schulte
Gibson	Knutson	Potts	Yenter—16

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files Nos. 180 and 208.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 180 and 208.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 15th day of February, 1924, sent to the Governor for his approval: House Files Nos. 180 and 208.

C. F. LETTS, *Chairman.*

Report adopted.

## MOTION TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: I move that the House reconsider the vote by which the House concurred in the Senate amendments, as amended, to House File No. 213.

S. L. GRAHAM.

I second the motion.

HOWARD A. MATHEWS.

Clark of Linn moved that the House adjourn until 1:30 p. m. today.

Motion lost.

On motion of Rewoldt of Bremer the House adjourned until 2:30 p. m. today.

## AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

## 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. 51, a bill for an act relating to intoxicating liquors.

Also, that the Senate has concurred in the House amendment to the following resolution:

Senate Concurrent Resolution No. 9, relating to recess of the General Assembly.

Also, that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House File No. 20, a bill for an act to amend, revise, and codify the law relating to time of holding elections and terms of officers.

Also, that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House File No. 126, a bill for an act to amend, revise, and codify the law relating to removal of obstructions from highways.

Also, that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House File No. 188, a bill for an act to amend, revise, and codify the law relating to board of railroad commissioners.

L. W. AINSWORTH, *Secretary.*

## SENATE AMENDMENTS TO HOUSE FILE NO. 20

Amend title by striking out the period (.) in the last line, and adding the following thereto:

"and authorizing the holding of office regardless of sex."

Amend by adding to said bill the following as Sec. 23:

"Sec. 23. Sex no disqualification.

No person shall be disqualified on account of sex from holding any office created by the statutes of this state."

## SENATE AMENDMENTS TO HOUSE FILE NO. 188

Amend section four (4) by adding after the word "railroad" in line three (3) the words "or other transportation" and by striking out the word "trains" in line three (3) thereof.

Amend section five (5) by adding after the words "railway companies" in line three (3) the words ", motor carriers".

Amend section 30 by striking out the word "gauges" and the comma (,) following said word in the tenth line, and inserting in lieu thereof the word "guaged".

## SENATE AMENDMENTS TO HOUSE FILE NO. 126

Amend by striking out all of section 2 and substituting in lieu thereof the following:

"Poles used for telephone, telegraph, or other transmission purposes, shall not be removed until notice, in writing of not less than thirty (30) days, has been given to the owner or company operating such lines, and in case of fences notice in writing of not less than ninety (90) days has been given to the owner, occupant or agent of the land inclosed by said fence."

Amend by striking out the word "highway" preceding the word "engineer" in line two (2) of section four (4) and by inserting in lieu thereof the word "county"; also insert following the word "engineer" in line two (2) of section four (4) the following: "if no county engineer has been appointed, then under the supervision of the board of supervisors".

Amend section five (5) by striking out the word "highway" and inserting in lieu thereof the word "county" in line two thereof, and insert after the word "engineer" in said line two of section 5 the words "if no county engineer has been appointed then under the supervision of the board of supervisors".

Amend by adding new sections as follows:

"Sec. 13. Billboards and signs in public highways.

Billboards and advertising signs shall not hereafter be placed or erected within the boundary lines of the public highways.

Sec. 14. Right and duty to remove.

All billboards and advertising signs now placed or erected within the boundary lines of public highways shall, without liability in damages, be removable:

1. By the state highway commission or board of supervisors in case of primary roads.
2. By the board of supervisors in case of county roads.
3. By the township trustees in case of township roads."

SENATE MESSAGE CONSIDERED

Senate File No. 51, a bill for an act to amend, revise, and codify sections nine hundred sixteen (916), nine hundred seventeen (917), nine hundred nineteen (919), nine hundred sixty-two (962), nine hundred sixty-five (965) to nine hundred sixty-seven (967), inclusive, nine hundred sixty-nine (969) to nine hundred seventy-three (973), inclusive, nine hundred seventy-eight (978), nine hundred seventy-nine (979), nine hundred eighty (980), nine hundred eighty-one (981) to nine hundred ninety-seven (997), inclusive, nine hundred ninety-nine (999) to ten hundred eighteen (1018), inclusive, ten hundred twenty (1020), ten hundred twenty-three (1023), and ten hundred twenty-five (1025) to ten hundred twenty-seven (1027), inclusive, ninety-two hundred sixty-six (9266) and ninety-two hundred sixty-seven (9267), of the compiled code of Iowa, and sections nine hundred fourteen (914), nine hundred fifteen (915), nine hundred eighteen (918), nine hundred sixty-eight (968), nine hundred seventy-four-a one (974-a1) to nine hundred seventy-four-a three (974-a3), inclusive, nine hundred seventy-five (975), nine hundred seventy-six-a one (976-a1) to nine hundred seventy-six-a six (976-a6), inclusive, nine hundred seventy-seven-a one (977-a1) to nine hundred seventy-seven-a seven (977-a7), inclusive, nine hundred ninety-eight (998), ten hundred nineteen (1019), ten hundred twenty-a one (1020-a1), and ten hundred twenty-four (1024) of the supplement to said code, relating to intoxicating liquors. Also amending section nine thousand fifteen (9015) of the compiled code referring to the penalties for smuggling liquors, narcotics, firearms or other devices for escape into jails and penal institutions of this state.

Read first and second times and referred to committee on suppression of intemperance.

CONSIDERATION OF BILLS

Senate File No. 123, a bill for an act to amend, revise, and

codify chapter nine (9) of title eleven (11) and section twenty-nine hundred sixty-two (2962) of the compiled code of Iowa, relating to the township road system, the repair and improvement of the same, and the duties of the officers having jurisdiction thereover, with report of committee recommending amendment and passage, was taken up for consideration.

Blume of Crawford offered the following amendment to the committee amendments and moved its adoption:

Amend the committee amendments to Senate File No. 123 by inserting after the words "farmyard" in the amendment to section eleven (11) thereof the following: "orchard".

Amendment to the committee amendments adopted.

On motion of Henderson of Hamilton the amendments proposed by the committee, found in the Journal of February 7th, as amended, were adopted.

Parsons of Calhoun offered the following amendment and moved its adoption:

Amend Senate File No. 123 by inserting immediately after section 19 the following:

"Sec. 19-a1. Transfer of funds.

A surplus in the township road drainage fund or any part of such surplus, may be transferred by the trustees to the township road fund when such surplus or part thereof is not needed for the purposes for which levied but if, subsequent to a transfer, road drainage funds become necessary, the trustees shall, before making a levy for a road drainage fund, replace said transferred funds in the road drainage fund."

Edson of Buena Vista offered the following amendment to the amendment and moved its adoption:

Amend the amendment by Parsons of Calhoun by inserting after the word "trustees" and preceding the word "to" the following: "at their November meeting".

Amendment to the amendment adopted.

On motion of Lovrien of Humboldt further action on Senate File No. 123 was deferred.

House File No. 30, a bill for an act to amend, revise, and codify sections five hundred sixty-nine (569), five hundred seventy-two (572) and five hundred seventy-three (573) of the com-

piled code of Iowa, relating to contesting elections of state officers, with report of committee recommending passage, was taken up for consideration.

Graham of Wapello moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Garber of Adair	McClune	Schirmer
Webster	Garber of Floyd	Mathews	Schulte
Berry	Gilbert	Matthiesen	Scott of
Blake	Gilbertson	Moen	Appanoose
Blume	Gilmore	Napier	Scott of Fremont
Bradley	Graham	Natvig	Slemmons
Brady	Grimwood	Noble	Smith of
Brittain	Hansen	O'Donnell	Chickasaw
Buffington	Hattendorf	Olson	Smith of Lucas
Carter	Healy	Ontjes	Stock
Children	Held	Orr	Stookesberry
Clark	Hempel	Parsons	Storey
Colbert	Henderson	Patterson	Ulstad
Cole	Hollis	Peterson	Venard
Dewar	Huff	Potts	Vincent
Diltz	Johnson	Powers	Wamstad
Donhowe	King	Quirk	Weber
Dooley	Lake	Ramsey	Williams
Doolittle	Leonard	Rankin	Wilson
Dotts	Letts	Rassler	Wolfe
Edson	Lichty	Rewoldt	Mr. Speaker—90
Fackler	Lieberknecht	Robson	
Frahm	Long	Rust	
Gallagher	Lovrien	Saunders	

The nays were, none.

Absent or not voting:

Aiken	Gesman	Knutson	Rumley
Criswell	Gibson	Miller	Sampson
Edge	Harrison	Oliver	Strippel
Elllott	Hauge	Rhinehart	Yenter—18
Forsling	Himebauch		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 33, a bill for an act to amend, revise, and codify section 638 of the compiled code of Iowa, relating to the release of sureties on bonds required by law, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Berry of Monroe the amendments proposed by

the committee, found in the Journal of February 12th, were adopted.

Mr. Berry moved that the bill be read a third time now and placed upon its passage, which motion prevailed.

Garber of Adair moved that the House reconsider the vote by which Senate File No. 33 passed to its third reading.

Motion prevailed.

By unanimous consent further action on Senate File No. 33 was deferred.

House File No. 65, a bill for an act to amend, revise, and codify sections nine hundred seven (907), fourteen hundred forty (1440), fourteen hundred forty-three (1443), fourteen hundred fifty-two (1452), fourteen hundred sixty-nine (1469), fourteen hundred seventy-two (1472), fourteen hundred eighty-one (1481), fifteen hundred thirty-six (1536), fifteen hundred ninety-two (1592), sixteen hundred thirteen (1613), sixteen hundred seventeen (1617), sixteen hundred twenty-six (1626), sixteen hundred twenty-seven (1627), and sixteen hundred ninety-nine (1699) of the compiled code of Iowa and sections eight hundred ninety-nine (899), nine hundred three (903), fourteen hundred forty-two (1442), fifteen hundred thirty-two-a fifteen (1532-a15), sixteen hundred thirty-one-a one (1631-a1) to sixteen hundred thirty-one-a fifteen (1631-a15), inclusive, and sixteen hundred fifty-three-a one (1653-a1) to sixteen hundred fifty-three-a seven (1653-a7), inclusive, of the supplement to said code, relating to the department of agriculture and fruit-tree and forest reservations, with report of committee on agriculture recommending amendment and passage, and report of committee on appropriations recommending amendment to the amendments proposed by the committee on agriculture, amendment to the main bill, and passage, was taken up for consideration.

The amendment filed by Donhowe of Story on February 13th to the amendments proposed by the committee on agriculture was taken up and considered.

Mr. Donhowe moved the adoption of the amendment.

Amendment rejected.

On motion of Children of Pottawattamie the amendment pro-

posed by the committee on appropriations to the amendments proposed by the committee on agriculture was adopted.

On motion of Children of Pottawattamie the amendments proposed by the committee on agriculture, found in the Journal of January 7th, as amended, were adopted.

On motion of Children of Pottawattamie the amendments proposed by the committee on appropriations, found in the Journal of January 31st, were adopted.

Wamstad of Mitchell offered the following amendment and moved its adoption;

Amend House File No. 65 by striking section two (2) and substituting in lieu thereof the following:

Sec. 2. The object of the department of agriculture shall be:

1. To encourage, promote, and advance the interests of agriculture, including horticulture, live stock industry, dairying, cheese making, poultry raising, bee keeping, forestry, production of wool, and other kindred and allied industries.

2. To promote and devise methods of conducting said industries with the view of increasing production and facilitating an adequate distribution of the same at the least cost to the producer.

3. To administer efficiently and impartially the inspection service of the state as is now or may hereafter be placed under its supervision.

Amendment adopted.

Children of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Diltz	Harrison	Lovrien
Anderson of	Donhowe	Hattendorf	McClune
Webster	Dooley	Healy	Mathews
Berry	Doolittle	Held	Matthiesen
Blake	Dotts	Hempel	Miller
Blume	Edge	Henderson	Moen
Bradley	Edson	Himebauch	Napier
Brady	Fackler	Hollis	Natvig
Brittain	Forsling	Huff	O'Dannell
Buffington	Frahm	Johnson	Olson
Carter	Gallagher	King	Ontjes
Children	Gilbert	Lake	Orr
Clark	Gilbertson	Leonard	Parsons
Colbert	Gilmore	Letts	Patterson
Cole	Graham	Lichty	Peterson
Criswell	Grimwood	Lieberknecht	Potts
Dewar	Hansen	Long	Powers

Quirk	Schirmer	Smith of Lucas	Wamstad
Ramsey	Schulte	Stock	Weber
Rankin	Scott of	Stookesberry	Williams
Rassler	Appanoose	Storey	Wilson
Rewoldt	Scott of Fremont	Strippel	Wolfe
Robson	Slemmons	Ulstad	Mr. Speaker—95
Rust	Smith of	Venard	
Saunders	Chickasaw	Vincent	

The nays were, none.

Absent or not voting:

Elliott	Gibson	Noble	Rumley
Garber of Adair	Hauge	Oliver	Sampson
Garber of Floyd	Knutson	Rhinehart	Yenter—13
Gesman			

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File No. 256, a bill for an act to amend, revise, and codify sections sixty-six hundred forty-five (6645) and sixty-six hundred seventy-one (6671) of the compiled code of Iowa, and sections sixty-six hundred fifty-two (6652), sixty-six hundred seventy (6670), seventy-eight hundred forty-eight (7848), and seventy-eight hundred forty-eight-a one (7848-a1) of the supplement to said code, relating to the appointment and bonds of guardians, and to the sale or mortgage of the property of persons under guardianship, and of persons deceased, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Doolittle of Delaware the amendments proposed by the committee, found in the Journal of February 13th, were adopted.

Mr. Doolittle moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Brady	Dewar	Forsling
Anderson of	Brittain	Donhowe	Frahm
Webster	Buffington	Dooley	Gallagher
Berry	Clark	Doolittle	Garber of Adair
Blake	Colbert	Dotts	Gilbert
Blumè	Cole	Edson	Gilbertson
Bradley	Criswell	Fackler	Gilmore

Graham	Lieberknecht	Peterson	Smith of
Grimwood	Long	Potts	Chickasaw
Hansen	Lovrien	Powers	Smith of Lucas
Harrison	McClune	Quirk	Stock
Hattendorf	Mathews	Ramsey	Stookesberry
Healy	Matthiesen	Rankin	Storey
Held	Miller	Rassler	Strippel
Hempel	Moen	Rewoldt	Ulstad
Henderson	Napier	Robson	Venard
Himebauch	Natvig	Rust	Vincent
Hollis	O'Donnell	Saunders	Wamstad
Johnson	Oliver	Schirmer	Weber
King	Olson	Schulte	Williams
Lake	Ontjes	Scott of	Willson
Leonard	Orr	Appanoose	Wolfe
Letts	Parsons	Scott of Fremont	Mr. Speaker—92
Lichty	Patterson	Slemmons	

The nays were, none.

Absent or not voting:

Carter	Elliott	Hauge	Rhinehart
Children	Garber of Floyd	Huff	Rumley
Diltz	Gesman	Knutson	Sampson
Edge	Gibson	Noble	Yenter—16

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 50, a bill for an act to amend, revise, and codify chapter twenty-two (22) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the suspension of state officers, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Graham of Wapello the amendments proposed by the committee, found in the Journal of February 12th, were adopted.

Mr. Graham moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Buffington	Doolittle	Gilbert
Anderson of	Carter	Dotts	Gilbertson
Webster	Clark	Edson	Gilmore
Berry	Colbert	Fackler	Graham
Blume	Criswell	Forsling	Grimwood
Bradley	Dewar	Frahm	Harrison
Brady	Donhowe	Gallagher	Hattendorf
Brittain	Dooley	Garber of Adair	Healy

Held	Mathews	Powers	Smith of
Hempel	Matthiesen	Quirk	Chickasaw
Henderson	Moen	Ramsey	Smith of Lucas
Himebauch	Napier	Rankin	Stock
Hollis	Natvig	Rassler	Stookesberry
Huff	Noble	Rewoldt	Storey
Johnson	O'Donnell	Rust	Strippel
King	Oliver	Saunders	Venard
Lake	Olson	Schirmer	Wamstad
Leonard	Ontjes	Schulte	Weber
Letts	Orr	Scott of	Williams
Lichty	Parsons	Appanoose	Wilson
Lieberknecht	Patterson	Scott of Fremont	Wolfe
Long	Peterson	Slemmons	Mr. Speaker—87
Lovrien	Potts		

The nays were:

Children—1

Absent or not voting:

Blake	Garber of Floyd	Knutson	Rumley
Cole	Gesman	McClune	Sampson
Dilts	Gibson	Miller	Ulstad
Edge	Hansen	Rhinehart	Vincent
Elliott	Hauge	Robson	Yenter—20

So the bill having received a constitutional majority was declared to have passed the House 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. 46, a bill for an act relating to labor bureau and commissioner.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 44, a bill for an act relating to child labor.

Also, 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 relating to appeals in criminal cases.

Also, that the Senate has adopted and concurred in the following resolution:

House Concurrent Resolution No. 11, relating to investigation of oil industry, and commending President Coolidge upon his action.

L. W. AINSWORTH, *Secretary.*

## REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 292, a bill for an act to legalize the assessment and collection of certain taxes in Jackson township, Shelby county, Iowa, and to authorize the transfer of the proceeds thereof to the road funds of said township, beg leave to report they have had 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. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 293, a bill for an act to legalize the transfer of funds by the city council of the city of Forest City, 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.

C. F. CLARK, *Chairman.*

Report adopted.

## AMENDMENTS FILED

Garber of Adair filed the following amendment to Senate File No. 33:

Amend section two (2) of Senate File No. 33, as amended by the committee, by striking therefrom the words "to the principal".

Robson of Greene filed the following amendment to House File No. 69:

Amend House File No. 69 by striking out section 23 and substituting the following in lieu thereof:

"Sec. 23. No person shall be allowed to use as a dwelling, or sleep in, any workroom of any bakeshop, kitchen, dining room, confectionery, creamery, ice cream factory, cheese factory, cream station, meat market, or any other place where, in the opinion of the department, food will be contaminated thereby."

Brittain of Madison filed the following amendment to the amendments filed by him to House File No. 266 and found in the Journal of February 14th:

Amend the amendment to section seven (7) by striking out all of said amendment following the catchwords and inserting in lieu thereof the following:

"In all counties the clerk of the district court, the county auditor and the county recorder shall ex officio constitute the jury commission to draw jurors but shall receive no extra compensation as such. In all counties having a city with a population of more than fifteen thousand the judge shall, on or before October first of each year in which the biennial election is held, appoint three (3) competent electors as a jury commission to select the grand and petit jurors and talesmen for two (2) years beginning January first after such election."

Doolittle of Delaware filed the following amendment to Senate Concurrent Resolution No. 11:

Amend Senate Concurrent Resolution No. 11 by adding to said resolution the following as a new paragraph:

"That the price of three cents (3c) a ton as set by the board of conservation for the removal of said sand and gravel, be confirmed, and that the exemptions provided in this resolution shall continue until February 1, 1925."

Parsons of Calhoun filed the following amendment to Senate File No. 123:

(1) Amend by adding at the end of section one (1) the following: "or of the state road system".

(2) Amend by striking from line three (3) of section twelve (12) the following: "erect notice at the proper point to facilitate travel and". Also by striking from said line the words: "at the expense of the county". Also by striking from said line the words "verbally, and confirm by written notice,".

(3) Amend section fourteen (14) by adding thereto the following: "They shall also at their April meeting determine the amount that shall be allowed for a day's labor by a man and by a man and team on the road."

(4) Amend section seventeen (17) by adding thereto the following: "Any balance remaining in the drag fund at the November meeting may be transferred to the township road fund."

(5) Amend section eighteen (18) by adding thereto the following: "The surplus remaining in either the township road fund or the township road drainage fund or any part thereof may be transferred by the board of trustees at their November meeting to the other of such funds."

#### CONSIDERATION OF BILLS

Senate File No. 111, a bill for an act to amend, revise, and codify chapter thirty-one (31) of title ten (10) of the compiled code of Iowa and of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up for consideration.

Doolittle of Delaware offered the following amendment to the committee amendments and moved its adoption:

Amend the committee amendments to Senate File No. 111 by striking therefrom the amendment to section one (1) and inserting in lieu thereof the following: "Amend section one (1) by striking out the last sentence thereof."

Amendment to the committee amendments rejected.

On motion of Long of Jefferson the amendments proposed by the committee, found in the Journal of February 12th, were adopted.

Children of Pottawattamie moved that further action on Senate File No. 111 be deferred.

Motion lost.

Long of Jefferson moved that the bill be read a third time now and placed upon its passage.

Criswell of Boone moved that the House adjourn until 9:30 a. m. Saturday.

Motion prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, February 16, 1924.

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

Prayer was offered by the Rev. S. C. Wadding, pastor of the Park Avenue Presbyterian church, Des Moines, Iowa.

Journal of February 15th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Harrison of Pottawattamie for the day, on request of Children of Pottawattamie; Doolittle of Delaware for the day, on request of Slemmons of Buchanan; Graham of Wapello for the day, on request of Rassler of Pocahontas; Garber of Adair for the day, on request of Vincent of Guthrie; Donhowe of Story for the day, on request of Bradley of Poweshiek; Lieberknecht of Louisa until Tuesday, on request of Wilson of Tama; Dewar of Cherokee for the day, on request of Vincent of Guthrie; Potts of Lee for the day, on request of O'Donnell of Dubuque; Berry of Monroe for the day, on request of Venard of Sioux; Wolfe of Linn for the day, on request of Huff of Cass; Graham of Wapello for the day, on request of Fackler of Adams.

## PETITIONS

Letts of Washington presented a petition from citizens of Crawfordsville, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## 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. 101, a bill for an act to amend, revise, and codify the law relating to school meetings, directors, powers, and duties.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 295, a bill for an act to legalize the official acts of Laura Smith Day, of Wapello county, Iowa, as notary public.

Also, that the Senate has amended and refused to concur in the House amendments to the following bill:

Senate File No. 119, a bill for an act relating to the state highway commission and other officers charged with duties relating to highways.

L. W. AINSWORTH, *Secretary.*

#### SENATE MESSAGES CONSIDERED

Senate File No. 101, a bill for an act to amend, revise, and codify sections two thousand five hundred thirty-five (2535) to two thousand five hundred thirty-seven (2537), inclusive, two thousand five hundred forty-two (2542) to two thousand five hundred forty-four (2544), inclusive, two thousand five hundred forty-nine (2549) to two thousand five hundred fifty-three (2553), inclusive, two thousand five hundred fifty-seven (2557), two thousand five hundred fifty-nine (2559), two thousand five hundred sixty (2560), and two thousand five hundred sixty-seven (2567) of the compiled code of Iowa, and sections two thousand five hundred forty-five-a one (2545-a1) to two thousand five hundred forty-five-a four (2545-a4), inclusive, two thousand five hundred fifty-eight-a one (2558-a1); and two thousand five hundred seventy-eight (2578) of the supplement to said code, relating to education and to provide tuition for children in certain charitable institutions.

Read first and second times and referred to committee on schools and textbooks.

Senate File No. 295, a bill for an act to legalize the official acts of Laura Smith Day, of Wapello county, Iowa, as notary public.

Read first and second times and referred to committee on judiciary.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Rankin of Lee, House File No. 188, a bill for an act to amend, revise, and codify sections fifty hundred fourteen (5014) to fifty hundred sixteen (5016), inclusive, fifty hundred eighteen (5018), fifty hundred twenty-two (5022), fifty hundred twenty-four (5024) to fifty hundred twenty-six (5026), inclusive, fifty-one hundred eighty-six (5186), fifty-one hundred eighty-eight (5188) to fifty-one hundred ninety-two (5192), inclusive, fifty-two hundred four (5204) and fifty-two hundred six (5206)

of the compiled code of Iowa, and section fifty hundred forty-four (5044) of the supplement to said code, relating to the board of railroad commissioners, their jurisdiction and duties, with Senate amendments found in the House Journal of February 15th, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Aiken	Gilbert	Moen	Schirmer
Anderson of Webster	Gilbertson	Napier	Schulte
Blake	Grimwood	Natvig	Scott of Appanoose
Blume	Hattendorf	Noble	Scott of Fremont
Brady	Hauge	O'Donnell	Slemmons
Brittain	Healy	Oliver	Smith of Lucas
Carter	Hempel	Ontjes	Stock
Children	Henderson	Orr	Stookesberry
Colbert	Himebauch	Parsons	Strippel
Cole	Hollis	Peterson	Venard
Criswell	Huff	Quirk	Wamstad
Dooley	Johnson	Ramsey	Weber
Dotts	King	Rankin	Williams
Edge	Leonard	Rassler	Wilson
Edson	Lichty	Rewoldt	Wolfe
Frahm	Lovrien	Rhinehart	Mr. Speaker—72
Gallagher	McClune	Robson	
Garber of Floyd	Mathews	Rust	
	Matthiesen	Saunders	

The nays were, none.

Absent or not voting:

Berry	Forsling	Lake	Sampson
Bradley	Garber of Adair	Letts	Smith of Chickasaw
Buffington	Gesman	Lieberknecht	Storey
Clark	Gibson	Long	Ulstad
Dewar	Gilmore	Miller	Vincent
Diltz	Graham	Olson	Yenter—36
Donhowe	Hansen	Patterson	
Doolittle	Harrison	Potts	
Elliott	Held	Powers	
Fackler	Knutson	Rumley	

The House concurred in the Senate amendments to House File No. 188.

On request of Edson of Buena Vista, House File No. 126, a bill for an act to amend, revise, and codify chapter thirteen (13) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to the removal of obstructions from public highways and to advertising signs and billboards which obstruct the view of public highways and railway tracks, with Senate amend-

ments, found in the House Journal of February 15th, was taken up and the amendments read and considered.

Mr. Edson moved that the House refuse to concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were:

Blume	Leonard	Rassler	Stookesberry
Children	Matthiesen	Scott of	Wamstad
Dooley	Napier	Appanoose	Wolfe—14
Huff	Noble	Slemmons	

The nays were:

Anderson of	Gilbert	Mathews	Sampson
Webster	Gilbertson	Miller	Saunders
Blake	Gilmore	Moen	Schirmer
Bradley	Grimwood	Natvig	Schulte
Brady	Hattendorf	Oliver	Scott of Fremont
Brittain	Hauge	Ontjes	Smith of
Buffington	Healy	Orr	Chickasaw
Carter	Held	Parsons	Smith of Lucas
Cole	Hempel	Patterson	Stock
Criswell	Henderson	Peterson	Strippel
Dotts	Hollis	Quirk	Venard
Edge	Johnson	Ramsey	Weber
Edson	King	Rankin	Williams
Forsling	Letts	Rewoldt	Wilson
Frahm	Lichty	Rhinehart	Mr. Speaker—64
Gallagher	Lovrien	Robson	
Garber of Floyd	McClune	Rust	

Absent or not voting:

Aiken	Elliott	Himebauch	Powers
Berry	Fackler	Knutson	Rumley
Clark	Garber of Adair	Lake	Storey
Colbert	Gesman	Lieberknecht	Ulstad
Dewar	Gibson	Long	Vincent
Diltz	Graham	O'Donnell	Yenter—30
Donhowe	Hansen	Olson	
Doolittle	Harrison	Potts	

The House refused to concur in the Senate amendments to House File No. 126.

#### BUSINESS PENDING

Senate File No. 111, being business pending, Carter of Hardin requested that action on this bill be not taken this forenoon.

There being no objection the request was granted and action on the bill was deferred.

## BUDGET COMMITTEE EXCUSED

On request of Moen of Lyon, unanimous consent having been obtained, members of the special committee appointed to prepare a budget bill were excused on account of committee work.

## CONSIDERATION OF BILLS

Senate File No. 123, a bill for an act to amend, revise, and codify chapter nine (9) of title eleven (11) and section twenty-nine hundred sixty-two (2962) of the compiled code of Iowa, relating to the township road system, the repair and improvement of the same, and the duties of the officers having jurisdiction thereover, was taken up for further consideration.

The following amendments filed by Parsons of Calhoun were taken up for consideration:

(1) Amend by adding at the end of section one (1) the following: "or of the state road system".

(2) Amend by striking from line three (3) of section twelve (12) the following: "erect notice at the proper point to facilitate travel and". Also by striking from said line the words: "at the expense of the county". Also by striking from said line the words "verbally, and confirm by written notice,".

(3) Amend section fourteen (14) by adding thereto the following: "They shall also at their April meeting determine the amount that shall be allowed for a day's labor by a man and by a man and team on the road."

(4) Amend section seventeen (17) by adding thereto the following: "Any balance remaining in the drag fund at the November meeting may be transferred to the township road fund".

(5) Amend section eighteen (18) by adding thereto the following: "The surplus remaining in either the township road fund or the township road drainage fund or any part thereof may be transferred by the board of trustees at their November meeting to the other of such funds."

A division of the amendments was called for.

Children of Pottawattamie moved that action on Senate File No. 123 be deferred.

Motion lost.

Children of Pottawattamie offered the following amendment as a substitute for the amendment by Parsons of Calhoun to section one (1):

Amend section one (1), line three (3), by inserting after the word "not" the words "a state road or".

On motion of Mr. Children the amendment was substituted for the amendment by Parsons of Calhoun to section one (1).

On motion of Mr. Children the substitute amendment was adopted.

On motion of Parsons of Calhoun the amendments to section twelve (12) were adopted.

On motion of Parsons of Calhoun the amendment to section fourteen (14) was adopted.

Mr. Parsons moved the adoption of the amendment to section seventeen (17).

Amendment rejected.

Children of Pottawattamie moved that further action on Senate File No. 123 be deferred.

Motion prevailed.

House File No. 192, a bill for an act to amend, revise, and codify sections fifty-one hundred twenty-one (5121) to fifty-one hundred twenty-three (5123), inclusive, and fifty-one hundred thirty (5130) to fifty-one hundred thirty-eight (5138), inclusive, of the compiled code of Iowa, relating to taxes in aid of railways, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Lake of Woodbury the amendments proposed by the committee, found in the Journal of February 12th, were adopted.

Mr. Lake moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gilmore	Noble	Saunders
Webster	Grimwood	O'Donnell	Schirmer
Blake	Hattendorf	Oliver	Schulte
Blume	Healy	Olson	Scott of Fremont
Bradley	Hempel	Ontjes	Slemmons
Brittain	Henderson	Orr	Smith of
Buffington	Himebauch	Parsons	Chickasaw
Children	Huff	Patterson	Smith of Lucas
Clark	Johnson	Peterson	Stock
Cole	King	Powers	Strippel
Criswell	Knutson	Quirk	Venard
Diltz	Lake	Ramsey	Vincent
Dotts	Leonard	Rankin	Wamstad
Edge	Letts	Rewoldt	Weber
Edson	Lichty	Rhinehart	Williams
Forsling	McClune	Robson	Wilson
Frahm	Mathews	Rumley	Wolfe
Gallagher	Matthiesen	Rust	Mr. Speaker—73
Gilbert	Natvig	Sampson	

The nays were:

Napier	Scott of Appanoose	Stookesberry—3
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Absent or not voting:

Aiken	Doolittle	Graham	Lovrien
Berry	Elliott	Hansen	Miller
Brady	Fackler	Harrison	Moen
Carter	Garber of Adair	Hauge	Potts
Colbert	Garber of Floyd	Held	Rassler
Dewar	Gesman	Hollis	Storey
Donhowe	Gibson	Lieberknecht	Ulstad
Dooley	Gilbertson	Long	Yenter—32

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 196, a bill for an act to amend, revise, and codify sections fifty-one hundred seventy-three (5173) and fifty-one hundred seventy-six (5176) of the compiled code of Iowa, and section fifty hundred nineteen (5019) of the supplement to said code, relating to regulation of carriers and definition of terms, with report of committee recommending passage, was taken up for consideration.

Diltz of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gilbertson	Napler	Schirmer
Anderson of	Gilmore	Natvig	Schulte
Webster	Grimwood	Noble	Scott of
Blume	Hansen	O'Donnell	Appanoose
Bradley	Hattendorf	Oliver	Scott of Fremont
Brittain	Healy	Olson	Slemmons
Buffington	Held	Ontjes-	Smith of
Children	Hempel	Orr	Chickasaw
Clark	Henderson	Parsons	Smith of Lucas
Colbert	Himebauch	Patterson	Stock
Cole	Hollis	Peterson	Stookesberry
Criswell	Huff	Powers	Strippel
Diltz	Johnson	Quirk	Venard
Dooley	King	Ramsey	Vincent
Dotts	Knutson	Rankin	Weber
Edge	Lake	Rhinehart	Williams
Edson	Leonard	Robson	Wilson
Forsling	Letts	Rumley	Wolfe
Frahm	Lichty	Rust	Mr. Speaker—79
Gallagher	Mathews	Sampson	
Gilbert	Matthiesen	Saunders	

The nays were, none.

Absent or not voting:

Berry	Fackler	Lieberknecht	Rewoldt
Blake	Garber of Adair	Long	Storey
Brady	Garber of Floyd	Lovrien	Ulstad
Carter	Gesman	McClune	Wamstad
Dewar	Gibson	Miller	Yenter—29
Donhowe	Graham	Moen	
Doolittle	Harrison	Potts	
Elliott	Hauge	Rassler	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 134, a bill for an act to amend, revise, and codify sections thirty-one hundred eighty-nine (3189), thirty-one hundred ninety (3190), thirty-one hundred ninety-two (3192), and thirty-one hundred ninety-three (3193) of the compiled code of Iowa, relating to county attorneys, with report of committee on judiciary recommending amendment and passage, was taken up for consideration.

On motion of Diltz of Polk the amendments proposed by the committee, found in the Journal of February 13th, were adopted.

Mr. Diltz moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Gilmore Grimwood	Mathews Matthiesen	Rust Sampson
Blume	Hansen	Miller	Schirmer
Bradley	Hattendorf	Moen	Schulte
Brady	Hauge	Napier	Scott of Appanoose
Brittain	Healy	Natvig	Scott of Fremont
Buffington	Held	Noble	Slemmons
Carter	Hempel	O'Donnell	Smith of Chickasaw
Clark	Henderson	Oliver	Smith of Lucas
Colbert	Himebauch	Orr	Stock
Cole	Hollis	Parsons	Stokesberry
Criswell	Huff	Patterson	Strippel
Diltz	Johnson	Peterson	Vincent
Dooley	King	Powers	Wamstad
Dotts	Knutson	Quirk	Weber
Edson	Lake	Ramsey	Williams
Fackler	Letts	Rankin	Wilson
Forsling	Lichty	Rassler	Mr. Speaker—80
Gallagher	Long	Rewoldt	
Garber of Floyd	Lovrien	Rhinehart	
Gilbert	McClune	Robson	

The nays were:

Alken—1

Absent or not voting:

Berry	Ellhott	Harrison	Saunders
Blake	Frahm	Leonard	Storey
Children	Garber of Adair	Lieberknecht	Ulstad
Dewar	Gesman	Olson	Venard
Donhowe	Gibson	Ontjes	Wolfe
Doolittle	Gilbertson	Potts	Yenter—27
Edge	Graham	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

By unanimous consent, House File No. 293, a bill for an act to legalize the transfer of funds by the city council of the city of Forest City, Iowa, with report of committee recommending passage, was taken up for consideration.

Vincent of Guthrie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Brady Brittain	Clark Colbert	Edson Fackler
Blake	Buffington	Cole	Forsling
Blume	Carter	Diltz	Frahm
Bradley	Children	Dotts	Gallagher

Garber of Floyd	Leonard	Olson	Schirner
Gilbertson	Letts	Ontjes	Schulte
Gilmore	Lichty	Parsons	Scott of Fremont
Grimwood	Long	Patterson	Slemmons
Hattendorf	Lovrien	Peterson	Smith of
Healy	McClune	Powers	Chickasaw
Held	Mathews	Quirk	Stock
Hempel	Matthiesen	Ramsey	Stookesberry
Henderson	Miller	Rankin	Strippel
Himebauch	Moen	Rassler	Vincent
Hollis	Napier	Rewoldt	Wamstad
Johnson	Natvig	Rhinehart	Weber
King	Noble	Robson	Wilson
Knutson	O'Donnell	Rumley	Mr. Speaker—77
Lake	Oliver	Rust	

The nays were, none.

Absent or not voting:

Aiken	Garber of Adair	Huff	Smith of Lucas
Berry	Gesman	Lieberknecht	Storey
Criswell	Gibson	Orr	Ulstad
Dewar	Gilbert	Potts	Venard
Donhowe	Graham	Sampson	Williams
Dooley	Hansen	Saunders	Wolfe
Doolittle	Harrison	Scott of	Yenter—31
Edge	Hauge	Appanoose	
Elliott			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### REPORT OF COMMITTEE

Moen of Lyon, from the special budget committee of nine, submitted the following report:

MR. SPEAKER: Your special budget committee of nine to whom was referred Senate File No. 7, a bill for an act to amend, revise, and codify section ninety-four (94) of the compiled code of Iowa, relating to the duties of the Governor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking all after the enacting clause and substituting in lieu thereof the substitute amendments proposed by the committee.

Also amend by striking the title and substituting in lieu thereof the following:

A bill for an act to amend, revise, and codify sections ninety-four (94), two hundred seventy-two (272), two hundred seventy-three (273), three hundred thirty-eight (338), eight hundred seventy-two (872), twenty-three hundred seventeen (2317), twenty-three hundred fifty-one (2351), twenty-four hundred twenty-one (2421), twenty-six hundred eighteen (2618), twenty-nine hundred forty-eight (2948), sixty-four hundred seventy-three (6473), and sixty-four hundred seventy-six (6476) of the compiled code of

Iowa and sections thirty-nine-a six (39-a6), one hundred seventy-five-a sixteen (175-a16), two hundred forty-one-a thirty-two (241-a32), three hundred thirty-six (336), three hundred thirty-six-a one (336-a1), eleven hundred eighty-six (1186), twenty-three hundred forty-six-a one (2346-a1), twenty-three hundred seventy-four-a six (2374-a6), twenty-three hundred ninety-six-a one (2396-a1), twenty-four hundred thirty (2430), twenty-four hundred thirty-two-a one (2432-a1), twenty-four hundred forty-a one (2440-a1), twenty-five hundred one-a one (2501-a1), twenty-seven hundred seventy-five (2775), twenty-eight hundred sixty-four-a seven (2864-a7), thirty hundred eighty-one-a thirteen (3081-a13), fifty hundred forty-four-a one (5044-a1), and fifty-four hundred thirty-nine-a one (5439-a1) of the supplement to said code, relating to a budget or financial statement for the state, to the duties of various officers in relation thereto, and to various existing appropriations.

T. E. MOEN, *Chairman.*

E. P. HARRISON

A. V. BRADY

FRED C. LOVRIEN

GEORGE E. MILLER

A. O. HAUGE

J. S. GARBER

L. V. CARTER

A. G. RASSLER

Report adopted.

#### PROPOSED BUDGET BILL ORDERED PRINTED

Moen of Lyon moved that one thousand (1000) copies of the proposed committee amendments to Senate File No. 7, prepared by the special budget committee of nine and reported out on this date, be ordered printed as a bill, in lieu of printing said amendments in the House Journal.

Motion prevailed and it was so ordered.

#### AMENDMENTS FILED

Carter of Hardin filed the following amendments to Senate File No. 111:

Amend section twenty-two (22), line four (4), by striking out the words "such sum as may be necessary" and by inserting in lieu thereof the words "for the biennium ending June thirtieth, nineteen hundred twenty-five (1925)".

Also amend said line four (4) by inserting between the words "appropriated" and "annually" the words and figures "two thousand dollars (\$2000.00)".

Oliver of Monona filed the following amendment to Senate File No. 123:

The following amendments filed by Children of Pottawattamie were taken up for consideration :

Amend Senate File No. 123 as follows :

(1) Amend section two (2) by inserting between the words "faithfully" and "expend" in lines two (2) and three (3) the words "and equitably". Also, amend by adding at the end of the section the following: "They shall cause at least fifty per cent (50%) of the township road tax to be thus expended by the fifteenth day of July of each year. They may let by contract, to the lowest responsible bidder, any part of the township work for the current year."

(2) Amend section six (6) by striking out the word "roads" in line four (4) and inserting in lieu thereof "school bus routes". Also, by striking the word "and" in the same line and adding after the word "routes" as it appears at the end of the section the words "and all main traveled roads. They shall cause to be expended each year, for dragging such roads, an amount not less than the amount produced by the one (1) mill levy provided for this purpose."

(3) Amend section eight (8) by adding thereto the following: "No contract or agreement shall be made with any such superintendent without reserving the right of the board to dispense with his services at its pleasure."

(4) Amend section fifteen (15) by inserting between lines one (1) and two (2) the following subsection: "A-1. For the payment of debts previously incurred."

(5) Amend section eighteen (18) by striking out of line seven (7) the words "the county" and inserting in lieu thereof the words "a competent civil".

(6) Insert after section 23 the following as section 23-a1:

"Sec. 23-a1. The report provided for in the preceding section shall be accompanied by a list prepared by the township board showing the number, size and approximate location of new culverts and bridges which such board recommends should be installed or constructed on the township road in their respective townships for the ensuing year and an estimate of the amount of materials for bridge and culvert repair work which in their judgment will be necessary."

A division of the amendments was called for.

Mr. Children moved the adoption of amendment No. 1.

Rassler of Pocahontas called for a division of amendment No. 1.

The following part of amendment No. 1 was considered:

Amend section two (2) by inserting between the words "faithfully" and "expend" in lines two (2) and three (3) the words "and equitably".

On the question "Shall the amendment be adopted?" a roll call was demanded.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 18, 1924.

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

Prayer was offered by the Rev. A. B. Leamer, pastor of St. John's Lutheran church, Des Moines, Iowa.

Journal of February 16th corrected and approved.

## PETITIONS

Carter of Hardin presented a petition from members of the Hubbard W. C. T. U., urging the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Gallagher of Iowa presented a petition from citizens of North English urging the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Bradley of Poweshiek presented a petition from citizens of Poweshiek county, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Blume of Crawford presented a petition from citizens of Crawford county favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Saunders of Palo Alto for the day, on request of Patterson of Kossuth; Gibson of Clarke for the forenoon, on request of Grimwood of Jones; Gilmore of Cedar for the day, on request of Gilbert of Marshall; Strippel of Benton for the day, on request of Stock of Allamakee; King of Clay indefinitely, on request

The nays were:

Anderson of	Gilbertson	Long	Robson
Webster	Grimwood	Lovrien	Rust
Blake	Hansen	Moen	Sampson
Bradley	Hattendorf	Natvig	Schirmer
Brady	Hauge	Oliver	Schulte
Brittain	Healy	Olson	Scott of Fremont
Buffington	Henderson	Ontjes	Smith of
Clark	Himebauch	Parsons	Chickasaw
Dewar	Hollis	Patterson	Stock
Donhowe	Johnson	Peterson	Venard
Edson	Knutson	Ramsey	Wamstad
Garber of Adair	Letts	Rankin	Mr. Speaker—49
Garber of Floyd	Lichty	Rassler	

Absent or not voting:

Berry	Elliott	King	Saunders
Carter	Forsling	Lake	Strippel
Colbert	Gesman	Lieberknecht	Vincent
Cole	Gibson	McClune	Yenter—25
Diltz	Gilbert	Potts	
Doolittle	Gilmore	Powers	
Edge	Held	Rhinehart	

Amendment rejected.

The following part of amendment No. 1 was considered:

Also, amend section two (2) by adding at the end of the section the following:

“They may let by contract, to the lowest responsible bidder, any part of the township work for the current year.”

On the question “Shall the amendment be adopted?” a roll call was demanded.

The ayes were:

Aiken	Gilbertson	Matthiesen	Schirmer
Anderson of	Graham	Moen	Schulte
Webster	Grimwood	Napier	Scott of
Berry	Hansen	Natvig	Apanoose
Blake	Harrison	Noble	Scott of Fremont
Blume	Hattendorf	O'Donnell	Slemmons
Bradley	Healy	Oliver	Smith of Lucas
Brady	Hempel	Olson	Stock
Brittain	Henderson	Ontjes	Stookesberry
Buffington	Himebauch	Orr	Storey
Children	Hollis	Parsons	Ulstad
Cole	Huff	Patterson	Venard
Criswell	Johnson	Peterson	Wamstad
Dewar	Knutson	Quirk	Weber
Donhowe	Leonard	Ramsey	Wilson
Dooley	Letts	Rassler	Wolfe
Dotts	Lichty	Rewoldt	Mr. Speaker—75
Fackler	Long	Robson	
Frahm	Lovrien	Rumley	
Garber of Floyd	Mathews	Rust	

The nays were:

Clark	Edson	Garber of Adair	Smith of
Diltz	Gallagher	Miller	Chickasaw—7

Absent or not voting:

Carter	Gibson	Lieberknecht	Saunders
Colbert	Gilbert	McClune	Strippel
Doolittle	Gilmore	Potts	Vincent
Edge	Hauge	Powers	Williams
Elliott	Held	Rankin	Yenter—26
Forsling	King	Rhinehart	
Gesman	Lake	Sampson	

Amendment adopted.

Mr. Children moved the adoption of amendment No. 2.

A division of the amendment was called for.

The following part of amendment No. 2 was considered:

Amend section six (6) by striking out the word "roads" in line four (4) and inserting in lieu thereof "school bus routes".

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Aiken	Gilbert	Miller	Scott of
Anderson of	Gilbertson	Napier	Appanoose
Webster	Graham	Noble	Slemmons
Blake	Grimwood	Olson	Smith of
Blume	Hansen	Ontjes	Chickasaw
Brittain	Harrison	Orr	Smith of Lucas
Buffington	Hattendorf	Parsons	Stookesberry
Children	Hempel	Patterson	Storey
Cole	Hollis	Powers	Ulstad
Criswell	Huff	Quirk	Vincent
Dooley	Johnson	Rassler	Williams
Edson	Knutson	Rewoldt	Wilson
Elliott	Leonard	Robson	Mr. Speaker—58
Fackler	Lichty	Rumley	
Frahm	Lovrien	Sampson	
Garber of Floyd	Matthlesen	Schirmer	

The nays were:

Bradley	Gallagher	Oliver	Stock
Dewar	Henderson	Peterson	Weber—14
Donhowe	Himebauch	Ramsey	
Dotts	Letts	Scott of Fremont	

Absent or not voting:

Berry	Colbert	Forsling	Gilmore
Brady	Diltz	Garber of Adair	Hauge
Carter	Doolittle	Gesman	Healy
Clark	Edge	Gibson	Held

King	Mathews	Rankin	Strippel
Lake	Moen	Rhinehart	Venard
Lieberknecht	Netvig	Rust	Wamstad
Long	O'Donnell	Saunders	Wolfe
McClune	Potts	Schulte	Yenter—36

Amendment adopted.

The following part of amendment No. 2 was considered:

Also, amend section six (6) by striking the word "and" in line four (4) and adding after the word "routes" as it appears at the end of the section the words "and all main traveled roads."

Amendment adopted.

The following part of amendment No. 2 was considered:

Also, amend section six (6) by adding at the end of the section the words: "They shall cause to be expended each year, for dragging such roads, an amount not less than the amount produced by the one (1) mill levy provided for this purpose."

Amendment rejected.

Hauge of Polk moved that the House now adjourn until 3:00 p. m. today.

Motion prevailed.

### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

### BUSINESS PENDING

The House resumed consideration of Senate File No. 123.

The question before the House was on amendment No. 3 offered by Children of Pottawattamie.

On the question "Shall amendment No. 3 be adopted?" a roll call was demanded.

The ayes were:

Aiken	Fackler	Napier	Smith of Lucas
Anderson of	Frahm	O'Donnell	Stokesberry
Webster	Gilbertson	Ontjes	Storey
Blume	Harrison	Orr	Ulstad
Brittain	Hattendorf	Parsons	Wamstad
Buffington	Hempel	Rassler	Wolfe
Children	Huff	Rewoldt	Mr. Speaker—35
Criswell	Leonard	Scott of	
Dooley	Matthiesen	Appanoose	
Dotts	Miller	Slemmons	

The nays were:

Blake	Hansen	McClune	Schulte
Bradley	Hauge	Moen	Scott of Fremont
Colbert	Healy	Natvig	Smith of
Cole	Held	Oliver	Chicaksaw
Dewar	Henderson	Olson	Stock
Donhowe	Himebauch	Patterson	Venard
Edson	Hollis	Peterson	Vincent
Forsling	Johnson	Ramsey	Weber
Gallagher	Letts	Rhinehart	Williams
Garber of Adair	Lichty	Robson	Wilson—45
Gilbert	Long	Sampson	
Grimwood	Lovrien	Schirmer	

Absent or not voting:

Berry	Elliott	Knutson	Quirk
Brady	Garber of Floyd	Lake	Rankin
Carter	Gesman	Lieberknecht	Rumley
Clark	Gibson	Mathews	Rust
Diltz	Gilmore	Noble	Saunders
Doolittle	Graham	Potts	Strippel
Edge	King	Powers	Yenter—28

Amendment No. 3 was rejected.

Amendment No. 4 was considered.

On the question "Shall amendment No. 4 be adopted?" a roll call was demanded.

The ayes were:

Aiken	Children	Matthiesen	Slemmons
Anderson	Criswell	Miller	Smith of Lucas
of Webster	Dewar	Orr	Stookesberry
Berry	Dooley	Rassler	Storey
Blume	Gilbertson	Rewoldt	Ulstad
Brittain	Harrison	Scott of	Wolfe—25
Buffington	Huff	Appanoose	

The nays were:

Bradley	Hauge	O'Donnell	Schirmer
Colbert	Held	Oliver	Scott of Fremont
Cole	Henderson	Olson	Smith of
Donhowe	Himebauch	Ontjes	Chickasaw
Dotts	Hollis	Parsons	Stock
Edson	Johnson	Patterson	Venard
Forsling	Knutson	Peterson	Vincent
Frahm	Letts	Quirk	Wamstad
Gallagher	Lichty	Ramsey	Weber
Garber of Adair	McClune	Rankin	Williams
Grimwood	Moen	Rhinehart	Wilson
Hansen	Napier	Robson	Mr. Speaker—50
Hattendorf	Natvig	Sampson	

## Absent or not voting:

Blake	Garber of Floyd	Lake	Rumley
Brady	Gesman	Leonard	Rust
Carter	Gibson	Lieberknecht	Saunders
Clark	Gilbert	Long	Schulte
Diltz	Gilmore	Lovrien	Strippel
Doolittle	Graham	Mathews	Yenter—33
Edge	Healy	Noble	
Elliott	Hempel	Potts	
Fackler	King	Powers	

Amendment No. 4 was rejected.

Amendment No. 5 was taken up and considered and, on motion of Children of Pottawattamie, was adopted.

Amendment No. 6 by Children of Pottawattamie was taken up for consideration.

Edson of Buena Vista offered the following amendments to amendment No. 6 and moved their adoption:

Amend amendment No. 6 by Children of Pottawattamie by inserting between the word "new" and the word "bridges" in line three (3) thereof the word "temporary"; also amend by striking out of line three (3) the words "and bridges".

Amendments to amendment No. 6 adopted.

On request of Children of Pottawattamie, unanimous consent having been obtained, amendment No. 6, as amended, was withdrawn.

The amendment filed by Parsons of Calhoun on February 15th, adding section 19-a1 to the bill, was taken up and considered.

Mr. Parsons moved the adoption of the amendment.

Amendment rejected.

The following amendment filed by Oliver of Monona was taken up and considered:

Amend section 13 of Senate File No. 123 by striking from lines six (6), seven (7), eight (8) and nine (9) of said section the following words: "No payment for such work shall be made until the bills therefor shall have been approved by the county engineer as provided for approval of bills for work on the county road system".

On motion of Mr. Oliver the amendment was adopted.

Johnson of Dickinson offered the following amendment and moved its adoption:

Amend section eighteen (18) of Senate File No. 123 by adding thereto the following:

"In townships where the road drainage fund is insufficient to pay drainage assessments due, any surplus or part thereof remaining in the township road fund at the time of the November meeting of the trustees may be transferred to the road drainage fund."

Amendment adopted.

Hauge of Polk moved that Senate File No. 123 be rereferred to the committee on roads and highways.

Slemmons of Buchanan moved the previous question as applied to the motion by Hauge of Polk.

Motion prevailed.

On the question "Shall Senate File No. 123 be rereferred to the committee on roads and highways?" a roll call was demanded.

The ayes were:

Aiken	Garber of Adair	Lovrien	Sampson
Anderson of Webster	Gilbertson	McClune	Scott of Appanoose
Blake	Grimwood	Mathews	Smith of Lucas
Brittain	Hansen	Matthesen	Stock
Children	Hauge	O'Donnell	Ulstad
Clark	Healy	Olson	Wamstad
Colbert	Hempel	Orr	Weber
Dewar	Henderson	Powers	Williams
Donhowe	Hollis	Ramsey	Wolfe
Elliott	Huff	Rankin	Mr. Speaker—45
Gallagher	Letts	Rhinehart	
	Lichty	Rust	

The nays were:

Berry	Garber of Floyd	Natvig	Slemmons
Blume	Gilbert	Oliver	Smith of Chickasaw
Bradley	Hattendorf	Ontjes	Stokesberry
Brady	Held	Parsons	Storey
Criswell	Himebauch	Patterson	Venard
Dooley	Johnson	Quirk	Vincent
Dotts	Knutson	Rassler	Wilson—37
Edson	Long	Robson	
Fackler	Moen	Schirmer	
Frahm	Napier	Scott of Fremont	

Absent or not voting:

Buffington	Gesman	Leonard	Rumley
Carter	Gibson	Lieberknecht	Saunders
Cole	Gilmore	Miller	Schulte
Diltz	Graham	Noble	Strippel
Doolittle	Harrison	Peterson	Yenter—26
Edge	King	Potts	
Forsling	Lake	Rewoldt	

Motion prevailed and Senate File No. 123 was rereferred to the committee on roads and highways.

House File No. 69, a bill for an act to amend, revise, and codify chapter thirteen (13) of title five (5), and chapters five (5) and six (6) of title seven (7) of the compiled code of Iowa, and chapter thirteen-A (13-A), of title five (5) of the supplement to the compiled code of Iowa, relating to hotels, restaurants, food establishments, and cold storage plants, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Robson of Greene the amendments proposed by the committee, found in the Journal of February 12th, were adopted.

Diltz of Polk offered the following amendment and moved its adoption:

Amend House File No. 69, section two (2), line seven (7), by inserting after the word "hotel" the words "or restaurant".

Amendment adopted.

The following amendment filed by Robson of Greene was taken up and considered:

Amend House File No. 69 by striking out section 23 and substituting the following in lieu thereof:

"Sec. 23. No person shall be allowed to use as a dwelling, or sleep in, any workroom of any bakeshop, kitchen, dining room where food is prepared for commercial purposes, confectionery, creamery, ice cream factory, cheese factory, cream station, meat market, or any other place where, in the opinion of the department, food will be contaminated thereby."

On motion of Mr. Robson the amendment was adopted.

Clark of Linn offered the following amendment and moved its adoption:

Amend section fifty (50) of House File No. 69 by inserting a comma (,) in place of the period (.) at the end of the said section and adding the following: "but this paragraph shall not be construed as applying to meat or meat products in the process of manufacture."

Amendment adopted.

Mr. Robson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

## On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gallagher	Matthiesen	Sampson
Webster	Garber of Adair	Miller	Schirmer
Berry	Garber of Floyd	Moen	Schulte
Blake	Gilbert	Napier	Scott of
Blume	Gilbertson	Natvig	Appanoose
Bradley	Graham	Noble	Scott of Fremont
Brady	Grimwood	O'Donnell	Slemmons
Brittain	Harrison	Oliver	Smith of
Buffington	Hattendorf	Olson	Chickasaw
Children	Hauge	Ontjes	Smith of Lucas
Clark	Healy	Orr	Stock
Colbert	Held	Parsons	Stookesberry
Cole	Hempel	Patterson	Storey
Criswell	Henderson	Peterson	Ulstad
Dewar	Himebauch	Powers	Venard
Diltz	Hollis	Quirk	Vincent
Donhowe	Johnson	Ramsey	Wamstad
Dotts	Leonard	Rankin	Weber
Edson	Letts	Rassler	Williams
Elliott	Lichty	Rewoldt	Wilson
Fackler	Lovrien	Rhinehart	Wolfe
Forsling	McClune	Robson	Mr. Speaker—88
Frahm	Mathews	Rust	

The nays were:

Knutson—1

Absent or not voting:

Aiken	Gesman	King	Rumley
Carter	Gibson	Lake	Saunders
Dooley	Gilmore	Lieberknecht	Strippel
Doolittle	Hansen	Long	Yenter—19
Edge	Huff	Potts	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## REPORT OF COMMITTEE

Scott of Appanoose, from the committee on mines and mining, submitted the following report:

MR. SPEAKER: Your committee on mines and mining to whom was referred Senate File No. 41, a bill for an act to amend, revise and codify chapters one (1) and two (2) of title five (5) of the compiled code of Iowa and the supplement to said code, relating to mines, gypsum mines and mining, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended he bill do pass:

(1) Amend section twelve (12) by striking out of lines five (5) and six (6) the following: "of all mines having an average output of fifty (50)

fons or more of coal per day," and inserting after the word "months" a comma.

(2) Amend section eighteen (18) by striking out of lines one (1) and two (2) the following: "in which five (5) or more persons are employed,".

(3) Amend section fifty-nine (59) by striking out the word "or" in line two (2) thereof and inserting in lieu thereof the word "and".

C. H. SCOTT, *Chairman*.

Report 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. 168, a bill for an act relating to municipal corporations—streets and public grounds.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 130, a bill for an act relating to powers and duties of supervisors.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 250, a bill for an act relating to magistrates and peace officers.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 293, a bill for an act to legalize transfer of funds by the city council of Forest City, Iowa.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 154, a bill for an act relating to municipal corporations—organization and officers.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 144, a bill for an act relating to relief for soldiers, sailors, and marines.

Also, 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 relating to neglected, disabled, and abandoned animals, animals running at large, estrays, dogs and the responsibility therefor, the licensing of dogs, the rights and duties resulting from such licensing or failure to license, and the payment of claims for damages done by dogs and wolves.

Also, that the Senate has adopted the report of the conference com-

mittee and amendments proposed on Senate File No. 149, a bill for an act relating to land surveys.

L. W. AINSWORTH, *Secretary*.

#### REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 149

MR. SPEAKER: Your conference committee to whom was referred Senate File No. 149, a bill for an act to amend, revise and codify section thirty-three hundred eighty-five (3385) of the compiled code of Iowa, relating to land surveys, begs leave to report that it has had the same under consideration, and recommends that the differences between the Senate and the House be compromised as follows:

1. That the House shall recede from the amendments proposed and adopted by it.

2. Amend Senate File No. 149 as passed by the Senate by adding thereto the following:

"That section thirty-three hundred eighty-nine (3389) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 2. Record to be furnished—presumptive evidence.

The county surveyor shall, when requested, furnish the person for whom the survey is made with a copy of the field notes and plat of the survey, and such copy, certified by him, and also a copy from the record, certified by the county auditor with the seal, shall be presumptive evidence of the survey and of the facts herein required to be set forth, and which are stated accordingly, between those persons who join in requesting it. Such field notes and plat of survey shall not, however, be presumptive evidence in any action in court as opposed to the field notes and plat of survey made by any other competent surveyor at the instance of any party not joining in the request for the survey by the county surveyor."

3. Amend the title by striking all of said title and inserting in lieu thereof the following:

"A bill for an act to amend, revise, and codify sections thirty-three hundred eighty-five (3385) and thirty-three hundred eighty-nine (3389) of the compiled code of Iowa, relating to land surveys."

EARL W. VINCENT  
VOLNEY DILTZ  
THOMAS PARSONS  
JOHN J. ETHELL  
P. C. HOLDOEGEL  
J. D. BUSER

#### SENATE AMENDMENTS TO HOUSE FILE NO. 144

Amend the title by striking the word "and" in the last line and striking the period (.) following the word "marines" and substituting a comma (,) for said period (.) and by adding thereto "and nurses".

Amend section 1 by striking the word "and" preceding the word "marines" in line 6 and by adding after the comma following the word "marines" the words "and nurses".

Amend section 3 by striking the word "or" in line 3 and by adding after the comma (,) following the word "marines" the words "or nurses".

Amend section 8 by striking the word "or" preceding the word "marine" in line 4 and by placing a comma (,) after the word "marine" in said line and by adding after said comma (,) the words "or nurse".

Amend section 9 by striking the word "or" in the first line and by placing a comma (,) after the word "marine" and by adding after the comma (,) the words "or nurse" in line 6.

Amend section 10 by striking out of line 2 the words "in which such person died" and inserting in lieu thereof the words "of which such person was a resident".

Amend section 11 by striking from line 6 the word "or" preceding the word "marine" and adding after the word "marine" the following: ", or nurse".

#### SENATE AMENDMENT TO HOUSE FILE NO. 154

Amend section 9, line 5 by striking the words and figures "two per cent (2%)" and inserting in lieu thereof the words and figures "two and one-half per cent (2½%)".

#### SENATE AMENDMENTS TO HOUSE FILE NO. 71

Amend section three (3) by striking from lines one (1) and two (2): "Any animal trespassing upon land, fenced as provided by law, may be distrained by the owner of such land, and held", and inserting in lieu thereof: "Any trespassing animal may be distrained and held by the owner of the land trespassed upon".

Amend section 7 by striking from line 2 the word "reasonable" and inserting in lieu thereof the word "immediate".

Amend section eleven (11) by adding to the end of said section the following: "The trustees shall immediately fix a time for the assessment of such damages and notify the owner of the animal accordingly."

Amend by striking out of section thirty-five (35) in lines three (3) and four (4), "and if only a part of the stock thus included is" and inserting "and if fewer than the whole number of animals thus included are".

Amend section thirty-nine (39) by inserting the words "bred and" following the word "be" in line three (3).

Amend section 55 by striking out of line 2 the word "January" and substituting the word "March".

Amend section 56 by striking out of line 2 the word "January" and substituting the word "March".

Amend by striking out all of section 59.

Amend section 82 by inserting the word "chasing" and a comma (,) after the word "worrying" as it occurs in line 3.

## AMENDMENTS FILED

Johnson of Dickinson filed the following amendments to House File No. 266:

Amend House File No. 266 by inserting in line five (5) of section fifty-seven (57) between the words "the" and "jury" the words "ex officio".

Also amend by inserting after the word "commissioners" in the same line a comma (,) and the following: "or in counties having an appointive commission, the appointive commissioners,".

## CONSIDERATION OF BILLS

Senate File No. 33, a bill for an act to amend, revise, and codify section 638 of the compiled code of Iowa, relating to the release of sureties on bonds required by law, was taken up for further consideration.

Garber of Adair offered the following amendment and moved its adoption:

Amend Senate File No. 33, section two (2), as amended by the committee, by striking therefrom the words "to the principal".

Amendment adopted.

Storey of Warren offered the following amendments and moved their adoption:

Amend section one (1) of Senate File No. 33 as amended by the committee, by inserting after the word "officer" in the first line, the following: "or of any person holding an office of trust, administrator, executor or guardian, or of an officer or employee of any public or private corporation or association".

Amend section three (3) by striking out of line one (1) the following: "on or before the taking effect of such cancellation" and inserting in lieu thereof the following: "before said bond shall be cancelled".

Forsling of Woodbury moved that the enacting clause be stricken from Senate File No. 33.

Hauge of Polk moved that the House now adjourn until 9:30 a. m. Tuesday.

Motion prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 19, 1924.

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

Prayer was offered by the Rev. H. W. Munster, pastor of the M. E. church, Danville, Iowa.

Journal of February 18th corrected and approved.

## PETITIONS

Gilbert of Marshall presented a petition from citizens of Marshall county favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Slemmons of Buchanan presented a petition from members of the W. C. T. U., Rowley, and from citizens of Winthrop, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee schools and textbooks.

Criswell of Boone presented petitions from members of St. John's Lutheran church, Madrid, and members of the M. E. church, Ogden, favoring the passage of a bill making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Blume of Crawford presented a petition from citizens of Denison, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Wilson of Tama presented a petition from citizens of Tama county, favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Garber of Floyd presented a petition from citizens of Floyd,

favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

Hollis of Black Hawk presented a petition from citizens of Black Hawk county favoring the passage of a law making the reading of the Bible in public schools compulsory. Referred to committee on schools and textbooks.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Donhowe of Story for the day, on request of Bradley of Poweshiek; Doolittle of Delaware for the day, on request of Slemmons of Buchanan; Strippel of Benton for the day, on request of Stock of Allamakee; Carter of Hardin for the day, on request of Edson of Buena Vista; Yenter of Johnson for the day, on request of Ramsey of Butler.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on February 15th, approved the following bills: House Files Nos. 78, 102, 116, 202, 208 and 180.

#### PROOF OF PUBLICATION OF HOUSE FILE NO. 292

The official proof of publication of House File No. 292, a bill for an act to legalize the assessment and collection of certain taxes in Jackson township, Shelby county, Iowa, and to authorize the transfer of the proceeds thereof to the road funds of said township, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Forsling of Woodbury, House File No. 154, a bill for an act to amend, revise, and codify sections three thousand five hundred eight (3508), three thousand five hundred nine (3509), three thousand five hundred eleven (3511) to three thousand five hundred eighteen (3518), inclusive, three thousand five hundred twenty-one (3521), three thousand five hundred twenty-two (3522), three thousand five hundred thirty (3530) to three thousand five hundred thirty-three (3533), inclusive, three thousand five hundred thirty-five (3535), three thousand five hundred

thirty-six (3536), three thousand five hundred forty-one (3541), three thousand five hundred fifty (3550), three thousand five hundred fifty-one (3551), three thousand five hundred fifty-three (3553), three thousand five hundred fifty-four (3554), three thousand six hundred forty (3640), and three thousand seven hundred sixty-six (3766) of the compiled code of Iowa and section thirty-five hundred eleven-a one (3511-a1) of the supplement to said code, relating to municipal corporations, with Senate amendments, found in the House Journal of February 18th, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Forsling	Lichty	Rumley
Webster	Gibson	Lovrien	Rust
Berry	Gilbert	McClune	Schulte
Blake	Gilbertson	Miller	Scott of
Blume	Gilmore	Moen	Appanoose
Brady	Graham	Napier	Scott of Fremont
Brittain	Grimwood	Natvig	Slemmons
Buffington	Harrison	Olson	Smith of
Children	Hattendorf	Orr	Chickasaw
Clark	Hauge	Parsons	Smith of Lucas
Colbert	Healy	Patterson	Storey
Criswell	Hempel	Peterson	Venard
Dewar	Henderson	Potts	Wamstad
Dooley	Himebauch	Powers	Weber
Dotts	Hollis	Quirk	Wilson
Edge	Huff	Ramsey	Wolfe
Edson	Knutson	Rankin	Mr. Speaker—71
Elliott	Leonard	Rassler	
Fackler	Letts	Robson	

The nays were:

O'Donnell	Rewoldt	Stock	Stookesberry—4
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Absent or not voting:

Aiken	Garber of Adair	Long	Schirmer
Bradley	Garber of Floyd	Mathews	Strippel
Carter	Gesman	Matthiesen	Ulstad
Cole	Hansen	Noble	Vincent
Diltz	Held	Oliver	Williams
Donhowe	Johnson	Ontjes	Yenter—33
Doolittle	King	Rhinehart	
Frahm	Lake	Sampson	
Gallagher	Lieberknecht	Saunders	

The House concurred in the Senate amendments to House File No. 154.

On request of Robson of Greene, House File No. 71, a bill for an act to amend, revise, and codify chapter twenty-two (22) of title eight (8) and sections thirty-one hundred forty-two (3142) and thirty-one hundred forty-three (3143) of the compiled code of Iowa, and sections thirty-one hundred thirty-nine-a one (3139-a1) to thirty-one hundred thirty-nine-a three (3139-a3), inclusive, thirty-one hundred thirty-nine-a three-a (3139-a3a), thirty-one hundred thirty-nine-a four (3139-a4) to thirty-one hundred thirty-nine-a fourteen (3139-a14), inclusive, and thirty-one hundred forty (3140) of the supplement to said code, relating to neglected, disabled, and abandoned animals, animals running at large, estrays, dogs and the responsibility therefor, the licensing of dogs, the rights and duties resulting from such licensing or failure to license, and the payment of claims for damages done by dogs and wolves, with Senate amendments, found in the House Journal of February 18th, was taken up and the amendments read and considered.

Mr. Robson moved that the House refuse to concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were:

Brittain Forsling—2

The nays were:

Anderson of Webster	Gibson Gilbert	Mathews Matthiesen	Sampson Saunders
Berry	Gilbertson	Miller	Schlrmer
Blake	Gilmore	Moen	Schulte
Blume	Graham	Napier	Scott of
Bradley	Grimwood	Natvig	Appanoose
Brady	Hansen	Noble	Scott of Fremont
Buffington	Hattendorf	O'Donnell	Slemmons
Children	Hauge	Oliver	Smith of
Clark	Healy	Ontjes	Chickasaw
Colbert	Held	Orr	Smith of Lucas
Cole	Hempel	Parsons	Stock
Criswell	Henderson	Patterson	Stookesberry
Dewar	Himebauch	Potts	Storey
Dooley	Hollis	Powers	Ulstad
Dotts	Huff	Quirk	Venard
Edge	Johnson	Ramsey	Vincent
Edson	Knutson	Rankin	Wamstad
Elliott	Leonard	Rassler	Weber
Fackler	Letts	Rewoldt	Williams
Frahm	Lichty	Rhinehart	Wilson
Gallagher	Lieberknecht	Robson	Wolfe
Garber of Adair	Lovrien	Rumley	Mr. Speaker—92
Garber of Floyd	McClune	Rust	

## Absent or not voting:

Alken	Doolittle	Lake	Peterson
Carter	Gesman	Long	Strippel
Diltz	Harrison	Olson	Yenter—14
Donhowe	King		

The House refused to concur in the Senate amendments to House File No. 71.

On request of Fackler of Adams, House File No. 144, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-two (3342) to thirty-three hundred forty-four (3344), inclusive, thirty-three hundred forty-six (3346) and thirty-three hundred forty-seven (3347) of the compiled code of Iowa, and section thirty-three hundred forty-five (3345) of the supplement to said code, relating to relief for soldiers, sailors, and marines, with Senate amendments, found in the House Journal of February 18th, was taken up and the amendments read and considered.

Mr. Fackler moved that the House concur in all of the Senate amendments, except the amendment to section ten (10).

On the question "Shall the House concur in all of the Senate amendments, except the amendment to section ten (10)?"

## The ayes were:

Anderson of Webster	Garber of Adair	Lieberknecht	Robson
Berry	Garber of Floyd	Lovrien	Rumley
Blake	Gibson	McClune	Saunders
Blume	Gilbert	Mathews	Schirner
Bradley	Gilbertson	Matthiesen	Schulte
Brady	Gilmore	Miller	Scott of
Brittain	Graham	Moen	Appanoose
Buffington	Grimwood	Napier	Scott of Fremont
Children	Hansen	Natvig	Slemmons
Clark	Harrison	Noble	Smith of
Colbert	Hattendorf	O'Donnell	Chickasaw
Cole	Hauge	Oliver	Smith of Lucas
Criswell	Healy	Olson	Stock
Dewar	Held	Ontjes	Stookesberry
Dooley	Hempel	Orr	Storey
Dotts	Henderson	Parsons	Ulstad
Edge	Himebauch	Patterson	Venard
Edson	Hollis	Potts	Vincent
Elliott	Huff	Powers	Wamstad
Fackler	Johnson	Quirk	Weber
Forsling	Knutson	Ramsey	Wilson
Frahm	Leonard	Rankin	Mr. Speaker—91
Gallagher	Letts	Rewoldt	
	Lichty	Rhinehart	

The nays were, none.

## Absent or not voting:

Aiken	Gesman	Peterson	Strippel
Carter	King	Rassler	Williams
Diltz	Lake	Rust	Wolfe
Donhowe	Long	Sampson	Yenter—17
Doolittle			

The House concurred in all of the Senate amendments except the amendment to section ten (10) of House File No. 144.

Gibson of Clarke moved that the House concur in the Senate amendment to section ten (10).

McClune of Mahaska moved that action on the motion to concur in the Senate amendment to section ten (10) be deferred until Wednesday, February 20th.

Motion to defer action lost.

On the question "Shall the House concur?"

The ayes were:

Blake	Garber of Floyd	Leonard	Rassler
Brittain	Gibson	Napier	Rumley
Dooley	Knutson	Ontjes	Vincent—13
Dotts			

The nays were:

Anderson of	Gilbert	Mathews	Schulte
Webster	Gilbertson	Matthiesen	Scott of
Berry	Gilmore	Miller	Appanoose
Blume	Graham	Moen	Scott of Fremont
Bradley	Grimwood	Natvig	Slemmons
Brady	Hansen	Noble	Smith of
Buffington	Harrison	Oliver	Chickasaw
Children	Hattendorf	Olson	Smith of Lucas
Clark	Healy	Orr	Stock
Colbert	Held	Parsons	Stookesberry
Cole	Hempel	Patterson	Storey
Criswell	Henderson	Potts	Ulstad
Dewar	Himebauch	Quirk	Venard
Edge	Hollis	Ramsey	Wamstad
Edson	Johnson	Rankin	Weber
Elliott	Lake	Rewoldt	Williams
Fackler	Letts	Rhinehart	Wilson
Forsling	Lichty	Robson	Mr. Speaker—78
Frahm	Lieberknecht	Rust	
Gallagher	Lovrien	Saunders	
Garber of Adair	McClune	Schirmer	

Absent or not voting:

Aiken	Gesman	Long	Sampson
Carter	Hauge	O'Donnell	Strippel
Diltz	Huff	Peterson	Wolfe
Donhowe	King	Powers	Yenter—17
Doolittle			

The House refused to concur in the Senate amendment to section ten (10) of House File No. 144.

#### BUSINESS PENDING

#### CONSIDERATION OF BILLS

The House resumed consideration of Senate File No. 33, a bill for an act to amend, revise, and codify section 638 of the compiled code of Iowa, relating to the release of sureties on bonds required by law.

The question before the House was the motion by Forsling of Woodbury to strike out the enacting clause.

By unanimous consent the motion to strike out the enacting clause was withdrawn.

Mr. Forsling moved that Senate File No. 33 be referred to the committee on judiciary.

Motion prevailed.

Senate File No. 205, a bill for an act to amend, revise, and codify section five thousand four hundred sixty-one (5461) of the compiled code of Iowa, and sections five thousand four hundred sixty (5460) and five thousand four hundred sixty-two (5462) of the supplement to said code, relating to the insurance department, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Brittain of Madison the amendments proposed by the committee, found in the Journal of February 12th, were adopted.

Brittain moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Buffington Children	Dotts Edge	Garber of Floyd Gibson
Blake	Clark	Edson	Gilbert
Blume	Cole	Elliott	Gilbertson
Bradley	Criswell	Fackler	Gilmore
Brady	Dewar	Gallagher	Graham
Brittain	Dooley	Garber of Adair	Grimwood

Harrison	Lichty	Potts	Scott of Fremont
Hattendorf	Lieberknecht	Powers	Slemmons
Hauge	Lovrien	Quirk	Smith of
Healy	McClune	Ramsey	Chickasaw
Held	Mathews	Rassler	Smith of Lucas
Hempel	Miller	Rhinehart	Stock
Henderson	Moen	Robson	Stookesberry
Himebauch	Napier	Rumley	Storey
Hollis	Natvig	Rust	Vincent
Huff	Noble	Sampson	Wamstad
Johnson	O'Donnell	Saunders	Weber
Knutson	Oliver	Schirmer	Williams
Lake	Orr	Schulte	Wilson
Leonard	Parsons	Scott of	Wolfe
Letts	Peterson	Appanoose	Mr. Speaker—85

The nays were, none.

Absent or not voting:

Aiken	Doolittle	Long	Rewoldt
Berry	Forsling	Matthiesen	Strippel
Carter	Frahm	Olson	Ulstad
Colbert	Gesman	Ontjes	Venard
Diltz	Hansen	Patterson	Yenter—23
Donhowe	King	Rankin	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Substitute for House File No. 178, a bill for an act to amend, revise, and codify sections four thousand fifty-four (4054) to four thousand fifty-eight (4058), inclusive, three thousand seven hundred twenty-two (3722) to three thousand seven hundred twenty-four (3724), inclusive, three thousand seven hundred thirty-five (3735), three thousand seven hundred forty-two (3742) to three thousand seven hundred forty-four (3744), inclusive, three thousand seven hundred seventy-three (3773), three thousand seven hundred seventy-four (3774), and three thousand seven hundred seventy-eight (3778) of the compiled code of Iowa, and sections four thousand fifty-nine (4059), and three thousand six hundred thirty-eight (3638) of the supplement to said code, relating to municipal corporations, was taken up for consideration.

Forsling of Woodbury offered the following amendments and moved their adoption:

Amend Substitute for House File No. 178, section two (2), subsection four (4), by striking the period (.) at the end thereof and adding the following: "or town."

Amend section eight (8) by inserting after the word "indebtedness" in line twelve (12) thereof the words "for such purpose", and by inserting after the word "bonds" in line thirteen (13) thereof the words "for

such purpose"; also, amend section eight (8) by striking out the word "of" in line thirteen (13) thereof and inserting in lieu thereof the word "in".

#### Amendments adopted.

The following amendments filed by Venard of Sioux were taken up for consideration:

Amend the Substitute for House File No. 178 by adding after section 3 of the bill the following:

"Sec. 3-a1. Any city of the second class having less than five thousand (5,000) population according to the last state or national census, which owns and operates a combined electric light, power and water plant, or electric light and power plant, may, when authorized by a vote of the people at a general election or a special election called for that purpose, mortgage the said plant or plants and the net revenues to be derived therefrom as a security for the payment of the bonds to be issued for the purpose of reconstructing and enlarging such plant or plants and acquiring a site therefor.

Sec. 3-a2. Such bonds shall bear not to exceed six per cent (6%) interest and be due not more than twenty (20) years after date of issue and shall be payable only out of the said net revenues of such plant or plants or from a sale thereof on foreclosure. Failure to pay interest within ninety (90) days after due shall entitle the holder of the mortgage to foreclose, in which case the laws of this state relative to foreclosure of real estate mortgages shall govern.

Sec. 3-a3. In case of foreclosure such cities shall grant to the purchaser thereat and his successors and assigns a franchise to operate the same for a period of twenty-five (25) years, reserving therein, however, to said city the power to compel the holder of the franchise to furnish reasonable service to the inhabitants of said city at reasonable rates and to be subject to reasonable regulations. The holders of the bonds shall look alone to the security on the plant and the revenues thereof for the payment of such bonds and the city shall not be liable therefor."

Parsons of Calhoun offered the following amendment to the amendments by Venard of Sioux and moved its adoption:

Amend the amendments by Venard of Sioux by striking out the figure "6%" in the amendment adding section 3-a2, and inserting in lieu thereof the figure "5%".

Amendment to the amendment rejected.

Matthews of Des Moines moved the previous question as applied to the amendments by Venard of Sioux.

Motion prevailed.

On the question "Shall the amendments by Venard of Sioux be adopted?" a roll call was demanded.

The ayes were:

Aiken	Gilbert	Matthiesen	Sampson
Anderson of Webster	Gilbertson	Miller	Saunders
Berry	Grimwood	Moen	Schirmer
Blume	Hansen	Napier	Schulte
Bradley	Harrison	Natvig	Scott of Appanoose
Brady	Hattendorf	Noble	Scott of Fremont
Brittain	Hauge	O'Donnell	Stemmons
Buffington	Healy	Oliver	Smith of Chickasaw
Children	Held	Ontjes	Smith of Lucas
Cole	Hempel	Orr	Stock
Criswell	Henderson	Patterson	Stookesberry
Dooley	Hollis	Peterson	Storey
Dotts	Huff	Potts	Ulstad
Edge	Knutson	Powers	Venard
Edson	Leonard	Quirk	Wamstad
Fackler	Letts	Ramsey	Weber
Frahm	Lichty	Rankin	Williams
Gallagher	Lieberknecht	Rassler	Wilson
Garber of Adair	Long	Rewoldt	Wolfe
Garber of Floyd	Lovrien	Robson	Mr. Speaker—85
Gibson	McClune	Rumley	
	Mathews	Rust	

The nays were:

Blake	Colbert	Lake	Parsons
Clark	Forsling	Olson	Rhinehart—8

Absent or not voting:

Carter	Doolittle	Graham	Strippel
Dewar	Elliott	Himebauch	Vincent
Diltz	Gesman	Johnson	Yenter—15
Donhowe	Gilmore	King	

Amendments adopted.

Hauge of Polk offered the following amendment and moved its adoption:

Amend Substitute for House File No. 178 by striking out all of section eight (8) and inserting in lieu thereof the following:

Sec. 8. Questions submitted—Manner of submission.

Each proposition mentioned in section two (2) hereof shall be submitted on a separate ballot, but more than one of such propositions may be so submitted at the same election, and as a part of each proposition so submitted there shall be stated on the ballot in addition thereto: The amount of indebtedness to be contracted, if any; the amount of bonds to be issued, if any; the annual rate of tax to be levied, if any, for the payment of such bonds and interest thereon. The form of the ballot shall be substantially as follows:

- Shall (Here name city or town)  
(Here state the particular proposition to be voted upon.) YES   
NO
- Shall (Here name city or town) contract indebtedness not exceeding \$..... therefor. YES   
NO
- Shall (Here name city or town) issue bonds not exceeding \$..... therefor. YES   
NO
- Shall (Here name city or town) levy a tax annually upon the taxable property of (Here name city or town) not exceeding ..... mills per annum for the payment of such bonds and the interest thereon. YES   
NO

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Gilbertson Hansen	Miller Napier	Rewoldt Schulte
Blake	Hattendorf	Natvig	Scott of Fremont
Blume	Hauge	Noble	Slemmons
Brittain	Hempel	O'Donnell	Stookesberry
Children	Henderson	Oliver	Venard
Colbert	Huff	Orr	Wamstad
Dewar	Johnson	Patterson	Weber—40
Dooley	Leonard	Peterson	
Edge	Mathews	Quirk	
Garber of Adair	Matthiesen	Rassler	

The nays were:

Aiken	Gibson	McClune	Scott of Appanoose
Brady	Gilbert	Moen	Smith of Chickasaw
Buffington	Gilmore	Ontjes	Smith of Lucas
Clark	Grimwood	Parsons	Stock
Criswell	Harrison	Ramsey	Storey
Dotts	Held	Rankin	Ulstad
Edson	Himebauch	Rhinehart	Vincent
Elliott	Hollis	Robson	Wilson
Fackler	Knutson	Rumley	Wolfe
Forsling	Lake	Rust	Mr. Speaker—49
Frahm	Letts	Sampson	
Gallagher	Lichty	Saunders	
Garber of Floyd	Long	Schirmer	

Absent or not voting:

Berry	Donhowe	King	Powers
Bradley	Doolittle	Lieberknecht	Strippel
Carter	Gesman	Lovrien	Williams
Cole	Graham	Olson	Yenter—19
Diltz	Healy	Potts	

Amendment rejected.

Himebauch of Emmet moved that the bill be read a third time

now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Garber of Floyd	Long	Rumley
Anderson of	Gibson	Lovrien	Rust
Webster	Gilbertson	McClune	Sampson
Berry	Gilmore	Mathews	Saunders
Blake	Grimwood	Matthiesen	Schirmer
Bradley	Hansen	Miller	Schulte
Brady	Harrison	Moen	Scott of
Buffington	Hattendorf	Napier	Appanoose
Clark	Hauge	Natvig	Scott of Fremont
Colbert	Healy	Noble	Slemmons
Cole	Held	O'Donnell	Smith of
Criswell	Hempel	Olson	Chickasaw
Dewar	Henderson	Ontjes	Smith of Lucas
Dooley	Himebauch	Orr	Stock
Dotts	Hollis	Patterson	Stokesberry
Edge	Huff	Peterson	Storey
Edson	Johnson	Quirk	Venard
Elliott	Knutson	Ramsey	Vincent
Fackler	Lake	Rankin	Wamstad
Forsling	Leonard	Rassler	Weber
Frahm	Letts	Rewoldt	Wilson
Gallagher	Lichty	Rhinehart	Wolfe
Garber of Adair	Lieberknecht	Robson	Mr. Speaker—89

The nays were:

Blume	Children	Oliver	Parsons—5
Brittain			

Absent or not voting:

Carter	Gesman	Potts	Ulstad
Diltz	Gilbert	Powers	Williams
Donhowe	Graham	Strippel	Yenter—14
Doolittle	King		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files Nos. 26, 40, 140, 123 and 198.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 128, 198, 26, 40 and 140.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this 19th day of February, 1924, sent to the Governor for his approval: House Files Nos. 26, 40, 140, 128 and 198.

C. F. LETTS, *Chairman.*

Report adopted.

## APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 119

As a conference committee on Senate File No. 119, the Speaker appointed the following members on the part of the House: Lovrien of Humboldt, Garber of Floyd, Knutson of Cerro Gordo and Wamstad of Mitchell.

Clark of Linn moved that all odd-numbered House bills which have been reported on by committees be placed upon the calendar.

A division of the House was called for.

Those voting "aye" were 33; those voting "no" were 31.

Harrison of Pottawattamie raised the point of order that since the motion by Clark of Linn is an amendment to a standing House rule, it cannot, under rule 54, be acted upon today without a suspension of rule 54, which would require a two-thirds majority.

The Speaker ruled that the point of order was well taken.

Clark of Linn asked unanimous consent to have House File No. 211 placed on the calendar.

There being no objection, it was so ordered.

On motion of Forsling of Woodbury the House adjourned until 4:00 p. m. today.

## AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

## REPORTS OF COMMITTEES

Graham of Wapello, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections, to whom was referred House File No. 72, a bill for an act to amend, revise, and codify section five hundred ninety-one (591) of the compiled code of Iowa, relating to the testimony of witnesses in cases of contested 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 do pass.

S. L. GRAHAM, *Chairman.*

Report adopted.

Rankin of Lee, from the committee on railroads, submitted the following report:

MR. SPEAKER: Your committee on railroads, to whom was referred Senate File No. 197, a bill for an act to amend, revise, and codify sections fifty-two hundred one (5201), fifty-two hundred five (5205), fifty-two hundred twenty (5220) to fifty-two hundred twenty-two (5222), inclusive, of the compiled code of Iowa, relating to regulation of 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 be amended as follows, and when so amended the bill do pass:

Amend section six (6), subsection ten (10), by striking the word "and" from line 32, and by adding after the word "carrier" in line 33 the following: ", and widows of pensioned employees".

JNO. M. RANKIN, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on railroads, to whom was referred Senate File No. 265, a bill for an act to amend, revise, and codify sections ten hundred twenty-one (1021) and ten hundred twenty-two (1022) of the compiled code of Iowa, relating to railroads and to offenses thereon, and to the right to remove intoxicated persons therefrom, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JNO. M. RANKIN, *Chairman.*

Report adopted.

Forsling 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. 171, a bill for an act to amend, revise, and codify sections three thousand nine hundred fifty-five (3955), three thousand nine hundred fifty-six (3956), three thousand nine hundred sixty-four (3964) and three thousand nine hundred sixty-five (3965) of the compiled code of Iowa, and section three thousand nine hundred fifty-seven (3957) of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

Amend section 5 by inserting the word "compiled" immediately preceding the word "code" in line 15.

Also amend section 5 by enclosing in parenthesis the words "or town" wherever they appear in said section.

L. B. FORSLING, *Chairman.*

Report adopted.

Schirmer of Jackson, from the committee on conservation of resources, submitted the following report:

MR. SPEAKER: Your committee on conservation of resources, to whom was referred Senate File No. 55, a bill for an act to amend, revise, and codify sections eleven hundred seventy-nine (1179) to eleven hundred eighty-two (1182), inclusive, of the compiled code of Iowa, and section eleven hundred seventy-seven-a nine (1177-a9) of the supplement to said code, relating to the state board of conservation and state parks, beg leave to report they have had 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. F. SCHIRMER, *Chairman.*

Report adopted.

Bradley of Poweshiek, 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. 51, a bill for an act to amend, revise and codify sections nine hundred sixteen (916), nine hundred seventeen (917), nine hundred nineteen (919), nine hundred sixty-two (962), nine hundred sixty-five (965) to nine hundred sixty-seven (967), inclusive, nine hundred sixty-nine (969) to nine hundred seventy-three (973), inclusive, nine hundred seventy-eight (978), nine hundred seventy-nine (979), nine hundred eighty (980), nine hundred eighty-one (981) to nine hundred ninety-seven (997), inclusive, nine hundred ninety-nine (999) to ten hundred eighteen (1018), inclusive, ten hundred twenty (1020), ten hundred twenty-three (1023), and ten hundred twenty-five (1025) to ten hundred twenty-

seven (1027), inclusive, ninety-two hundred sixty-six (9266) and ninety-two hundred sixty-seven (9267) of the compiled code of Iowa, and sections nine hundred fourteen (914), nine hundred fifteen (915), nine hundred eighteen (918), nine hundred sixty-eight (968), nine hundred seventy-four-a one (974-a1) to nine hundred seventy-four-a three (974-a3), inclusive, nine hundred seventy-five (975), nine hundred seventy-six-a one (976-a1) to nine hundred seventy-six-a six (976-a6), inclusive, nine hundred seventy-seven-a one (977-a1) to nine hundred seventy-seven-a seven (977-a7), inclusive, nine hundred ninety-eight (998), ten hundred nineteen (1019), ten hundred twenty-a one (1020-a1), and ten hundred twenty-four (1024) of the supplement to said code, relating to intoxicating liquors. Also amending section nine thousand fifteen (9015) of the compiled code referring to the penalties for smuggling liquors, narcotics, firearms or other devices for escape into jails and penal institutions of this 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 amended as follows, and when so amended the bill do pass:

(1) Amend section two (2) by placing a period after the word "whatever" in line five (5) thereof, and striking the remainder of said section.

(2) Amend section seven (7) by striking from line eleven (11) thereof the word "unlawful".

(3) Amend section forty (40), line seven (7), by adding after the word "selling," the word "or".

(4) Amend section forty-three (43), line one (1) thereof, by adding after the word "convicted" the words "or has entered a plea of guilty".

Also add after the word "action" in line one (1) thereof the words "in any district court of the state".

Also add after the word "convicted" in line three (3) thereof the words "or enters a plea of guilty".

(5) Amend section forty-four (44), line one (1) thereof, by adding after the word "convicted" the words "either upon trial or a plea of guilty".

Also amend said section, line three (3), by adding after the word "convicted" the words "or enters a plea of guilty".

(6) Amend section ninety-five (95), line one (1) thereof, by adding after the word "brought" the words "in equity".

(7) Amend section one hundred six (106) by adding after the word "trial" in line one (1) thereof, the words "shall be as in equity, and".

(8) Amend said bill by adding after section one hundred twenty-two (122), the following:

**Sec. 122-a1. Illegal transportation.**

Any person, firm or corporation, and any agent or employee thereof, who engages in the transportation of intoxicating liquors shall for each act of transportation be fined in a sum not exceeding one thousand dollars (\$1000.00) or be imprisoned in the county jail not exceeding one (1) year or be punished by both such fine and imprisonment and pay the cost of prosecution, including a reasonable attorney fee to be taxed by the court.

**Sec. 122-a2. Defenses.**

In any prosecution under this title for the unlawful transportation of intoxicating liquors it shall be a defense:

1. That the character and contents of the shipment or thing transported were not known to the accused or to his agent or employee, or
2. That the purchase and transportation of said liquors was authorized by a law of this state.

**Sec. 122-a3. Venue.**

In any prosecution under this title for the unlawful transportation of intoxicating liquors, the offense shall be held to have been committed in any county in the state in which the liquors are received for transportation, through which they are transported, or in which they are delivered.

JOHN BRADLEY, *Chairman.*

**Report adopted.**

Edson of Buena Vista, 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. 123, a bill for an act to amend, revise and codify chapter nine (9) of title eleven (11) and section twenty-nine hundred sixty-two (2962) of the compiled code of Iowa, relating to the township road system, the repair and improvement of the same, and the duties of the officers having jurisdiction thereover, beg leave to return herewith the bill as amended by the House with the recommendation that the same be put on its third reading and passage without further amendment.

W. C. EDSON, *Chairman.*

**Report adopted.**

Elliott of Scott, from the committee on public health, submitted the following report:

MR. SPEAKER: Your committee on public health to whom was referred House File No. 260, a bill for an act to amend, revise, and codify chapters two (2), three (3), four (4), and ten (10) of title six (6), and sections thirteen hundred thirty-five (1335) to thirteen hundred thirty-eight (1338), inclusive, thirteen hundred forty-six (1346) to thirteen hundred fifty-five (1355), inclusive, thirty-four hundred forty-seven (3447), thirty-four hundred forty-eight (3448), forty-one hundred fourteen (4114), forty-two hundred ten (4210), forty-two hundred eleven (4211), and forty-two hundred thirteen (4213) of the compiled code of Iowa, and chapters one (1) and five (5) of title six (6) of the compiled code of Iowa and the supplement to said code, and chapters one-A (1-A), four-A (4-A), nine-A (9-A), and eleven (11) of title six (6) of the supplement to the compiled code of Iowa, relative to 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 be amended as follows, and when so amended the bill do pass:

Section 1, by striking out subsection 5 and inserting in lieu the following:

5. "Physician" shall mean a person licensed to practice medicine and surgery under the laws of this state.

5-a1. "Practitioner" shall mean a person licensed to practice osteopathy and surgery, osteopathy, or chiropractic under the laws of this state.

Section 1, subsection 3, line 5, after the word "physician" by inserting the words "or practitioner".

Section 2, line 5, after the word "who" by inserting the following: "shall hold office for a term of six (6) years, commencing on July first following his appointment and confirmation. Such commissioner".

Section 2, lines 6 and 7, by striking out the following: ", and shall have had at least five years' practical experience in public health work." and inserting in lieu a "period (.)".

Section 14, subsection 11, line 37, preceding the word "druggists" by inserting the following: "practitioners,".

Section 14, subsection 11, line 39, by striking the word "antitoxin".

Section 14, subsection 16, line 53, by inserting after the word "diseases" the following: ", a division of venereal diseases".

Section 16-a1, line 12, by striking the words and figures "four thousand (4000)" and inserting in lieu the words and figures "five thousand (5000)".

Section 19, line 8, by inserting preceding the word "or" the following: "practitioner,".

By striking out all of section 32.

Section 40, lines 1 and 2, by striking out the "period (.)" and inserting in lieu the following: "or practitioner."

Section 41, line 1, by striking out the word "marshal" and inserting in lieu the word "mayor".

Section 46, line 7, by inserting after the word "physician" the words "or practitioner".

Section 58, line 1, by inserting after the word "physician" the words "or practitioner".

Section 58, line 6, by striking out the "comma (,)" following the word "physician" and inserting in lieu the following: "or practitioner,".

Section 77, line 6, by inserting after the word "physician" the words "or practitioner".

Section 77, line 7, by striking out the "comma (,)" following the word "physician" and inserting in lieu the following: "or practitioner,".

Section 77, line 8, by inserting after the word "physician" the words "or practitioner".

Section 80, lines 4 and 5, by inserting after the word "settlement the following: "if patient or legal guardian is unable to pay same".

Section 81, line 2, by inserting after the word "physician" the following: ", practitioner,".

Section 90, line 2; section 91, line 1; section 92, lines 2, 3, 4; section 93, lines 2, 4; section 94, lines 2, 3, 5; section 95, line 1; section 96, line 3; section 102, lines 2, 6, by inserting after the word "physician" where the same appears in said sections, the words "or practitioner".

Section 88, line 3, by striking the words "either of said boards", and inserting in lieu "said department or board".

Section 106, line 2, by inserting after the word "physician" where same appears first in said line, the words "or practitioner".

Section 106, lines 2 and 3, by striking out the words "or physician" and inserting in lieu the following: ", physician, or practitioner".

Section 106, line 4, by inserting after the word "physician" the words "or practitioner".

Section 106, line 5, by striking out the words "or physician" and inserting in lieu the following: ", physician, or practitioner".

Section 106, lines 6 and 7, by inserting after the word "physician" where same appears in said lines, the words "or practitioner".

Section 106, line 8, by inserting after the word "physicians" the words "or practitioners".

Section 107, line 2, by inserting after the word "physicians" the words "or practitioners".

Section 107, line 3, by inserting after the word "purpose" the words ", if practicable."

Section 108, line 1, by striking out the "comma (,)" following the word "physicians" and inserting in lieu the following: "or practitioners."

Section 115, line 1, by inserting after the word "any" the word "proprietary".

Section 118, line 1; section 120, line 5; section 122, line 1; section 123, line 1, by inserting after the word "physician" where the same appears in said lines, the words "or practitioner".

Section 129 by adding immediately after subsection 2 the following:

"2-a1. *Residence.* Length of residence in city or town where death occurred, and in the United States, if of foreign birth."

Section 129, subsection 14, line 30, by striking out the word "*Signature*" and inserting in lieu the word "*Name*".

Section 129, line 33, by striking out subsection 15.

Section 130, lines 4 and 5, by striking out the following: "physician, or in the absence of the attending physician, or if there be no attending physician," and inserting in lieu the following: "physician or practitioner, or in the absence of such person, or if there be no such person,".

Section 132 by striking out all after the "period (.)" in line 6, and inserting in lieu the following: "Stillbirth occurring without the attendance of a physician or practitioner shall be treated as deaths without medical attendance as provided in the preceding section."

Section 133, line 8, by striking out the words "certifying to" and inserting in lieu the word "supplying".

Section 139, line 4, strike out the colon after the word "thereto" and insert in lieu thereof the words "an embalmer's certificate showing the name and official number of the embalmer by whom the body was prepared, and the method of preparation employed."

Also strike out lines 5 to 9, inclusive, subsections 1 and 2.

Section 140, line 3, by inserting after "A" and before the word "physician's" the following: "copy of the".

Section 140, line 3, by inserting after the word "physician's" the following: ", practitioner's".

Section 140, subsection 2, by striking out the "period (.)" after the word "board" and adding the following: "or local registrar".

Section 141, line 1, by inserting after the word "express" the following: "a copy of".

Section 142, line 1, by inserting after the word "board" the following "or local registrar".

Section 142, line 2, by striking out the words "a licensed" and inserting in lieu the following: "an".

Section 142, line 3, by striking out the "period (.)" after the word "officer" and inserting in lieu the following: "or local registrar".

Section 143, by striking out entire section.

Section 144, by striking out the first two sentences.

Section 156, line 3, by inserting after the word "physicians" the following: "or practitioners".

Section 158, line 4, by inserting after the word "burial" the following: "without public expense".

Section 160, line 1, by striking out the words "or physician" and inserting in lieu the following: "physician, or practitioner".

Section 164, line 1, by inserting after the word "physician" the following: ", practitioner,".

Section 174, lines 2, 3, and 4, by inserting after the word "physicians" where the same appears in said lines, the following: "or practitioners".

Section 191, line 1, by striking from the section all after the word "registrar" and inserting in lieu a "period (.)".

Section 198, subsection 2, line 6, by striking out the following: "midwives,".

Section 198, subsection 2, line 6, by inserting after the "comma (.)" following the word "physicians" the following: "practitioners,".

Section 198, subsection 4, line 12, by striking out the following: "midwife,".

Section 198, subsection 4, line 12, by inserting after the "comma (,)" following the word "physician" the following: "practitioner,".

Section 198, line 35, subsection 9, by striking out the following: "midwives,".

Section 198, line 35, subsection 9, by inserting after the "comma (,)" following the word "physicians" the following: "practitioners,".

Section 202, lines 51 and 52, by striking out the following: "or midwife,".

Section 202, line 51, by inserting after the word "physician" the following: "or practitioner,".

Section 202, line 53, by striking out the words "or midwife".

Section 202, line 52, by inserting after the word "physician" the words "or practitioner".

Section 203, line 1, by striking out the following: "midwife," where same appears after the word "physician".

Section 203, line 1, by inserting after the "comma (,)" following the word "physician" the following: "practitioner,".

Section 204, line 1, by striking out the following: "midwife,".

Section 204, line 1, by inserting after the "comma (,)" following the word "physician" the following: "practitioner,".

Section 213, line 3, by inserting after the word "physician" the words "or practitioner".

Section 214, line 1, by striking out the following: "midwife,".

Section 214, line 1, by inserting after the "comma (,)" following the word "physician" the following: "practitioner,".

Section 218, line 2, by striking out the following: "midwife,".

Section 218, line 2, by inserting after the "comma (,)" following the word "physician" the following: "practitioner,".

Section 223, line 2, by striking out the following: "midwife,".

Section 223, line 2, by inserting after the "comma (,)" following the word "physician" the following: "practitioner,".

Section 241, line 7, by striking out the "comma (,)" following the word "physician" and inserting in lieu the following: "or practitioner,".

Section 242, by striking out lines 1 to 6, inclusive, and inserting in lieu the following:

"The members of the state board of health as constituted on July first, nineteen hundred twenty-four (1924), shall continue in office, irrespective of their terms of appointment, until this title takes effect, when said board shall cease to exist and shall be superseded by the state department of health provided for in chapter one (1) of this title.

Section 242-a1. Secretary of present board of health.

The secretary of the state board of health in office at the time this title takes effect shall become the commissioner of public health provided for in chapter one (1) of this title and shall continue in such office until July first, nineteen hundred twenty-five (1925), when he shall be superseded

by the commissioner of public health appointed under the provisions of said chapter.

Sec. 242-a2. Civil and sanitary engineer member of present board of health.

The civil and sanitary engineer member of the state board of health in office at the time this title takes effect shall become the head of the division of sanitary engineering provided for in chapter one (1) of this title and shall continue in such position until July first, nineteen hundred twenty-five (1925), when he shall be superseded by such person as may be appointed by the commissioner of public health under the provisions of said chapter."

FRANK W. ELLIOTT, *Chairman.*

Report adopted.

#### REPORT OF CONFERENCE COMMITTEE CONSIDERED

Vincent of Guthrie called up the report of the conference committee on Senate File No. 149, found in the House Journal of February 18th.

Diltz of Polk moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee on Senate File No. 149 and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of	Garber of	Floyd	Mathews	Sampson
Webster	Gibson		Matthiesen	Saunders
Berry	Gilbert		Miller	Schirmer
Blume	Gilbertson		Moen	Schulte
Bradley	Gilmore		Napier	Scott of
Brady	Graham		Natvig	Appanoose
Brittain	Grimwood		Noble	Scott of Fremont
Buffington	Hansen		O'Donnell	Slemmons
Colbert	Hattendorf		Oliver	Smith of
Cole	Held		Olson	Chickasaw
Criswell	Hempel		Ontjes	Smith of Lucas
Diltz	Henderson		Orr	Stock
Dooley	Hollis		Parsons	Stookesberry
Dotts	Johnson		Patterson	Ulstad
Edge	Knutson		Potts	Venard
Edson	Lake		Powers	Vincent
Elliott	Leonard		Ramsey	Wamstad
Fackler	Letts		Rankin	Weber
Forsling	Lichty		Rassler	Wilson
Frahm	Long		Rewoldt	Wolfe
Gallagher	Lovrien		Robson	Mr. Speaker—84
Garber of Adair	McClune		Rumley	

The nays were, none.

## Absent or not voting:

Alken	Donhowe	Himebauch	Rhinehart
Blake	Doolittle	Huff	Rust
Carter	Gesman	King	Storey
Children	Harrison	Lieberknecht	Strippel
Clark	Hauge	Peterson	Williams
Dewar	Healy	Quirk	Yenter—24

The report of the conference committee on Senate File No. 149 and the amendments proposed by said committee were adopted.

## CONSIDERATION OF BILLS

House File No. 292, a bill for an act to legalize the assessment and collection of certain taxes in Jackson township, Shelby county, Iowa, and to authorize the transfer of the proceeds thereof to the road funds of said township, with report of committee recommending passage, was taken up for consideration.

Miller of Shelby moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Anderson of Webster	Gilbertson	Moen	Schirmer
Berry	Gilmore	Napier	Schulte
Blume	Graham	Natvig	Scott of Appanoose
Brady	Grimwood	Noble	Scott of Fremont
Brittain	Harrison	O'Donnell	Slemmons
Buffington	Hattendorf	Oliver	Smith of Chickasaw
Children	Held	Olson	Smith of Lucas
Clark	Hempel	Ontjes	Stock
Colbert	Henderson	Parsons	Stookesberry
Cole	Hollis	Patterson	Ulstad
Criswell	Huff	Peterson	Venard
Diltz	Johnson	Potts	Vincent
Dooley	Knutson	Powers	Wamstad
Dotts	Lake	Quirk	Weber
Edson	Leonard	Ramsey	Williams
Elliott	Letts	Rankin	Wilson
Fackler	Lichty	Rassler	Wolfe
Frahm	Long	Rewoldt	Mr. Speaker—86
Gallagher	Lovrien	Robson	
Garber of Adair	McClune	Rumley	
Garber of Floyd	Mathews	Rust	
Gibson	Matthiesen	Sampson	
	Miller	Saunders	

The nays were, none.

**Absent or not voting:**

Alken	Doolittle	Hauge	Rhinehart
Blake	Edge	Healy	Storey
Bradley	Forsling	Himebauch	Strippel
Carter	Gesman	King	Yenter—22
Dewar	Gilbert	Lieberknecht	
Donhowe	Hansen	Orr	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**AMENDMENTS FILED**

Moen of Lyon, from the special budget committee, submitted the following amendments to said committee's amendments to Senate File No. 7:

Amend special budget committee amendments to Senate File No. 7 as follows:

(1) Amend by inserting immediately after section 62 of said amendments the following:

"That sections ninety hundred fifty-six (9056) and ninety hundred fifty-seven (9057) of the compiled code of Iowa are amended, revised, and codified to read as follows:

**Sec. 62-a1. Power of special agents.**

Special agents appointed by the governor shall have the rights and powers possessed by special agents of the department of justice appointed by the attorney general, and shall give bond in the same amount.

**Sec. 62-a2. Salary and expenses.**

Special agents appointed by the governor shall be paid their actual and necessary expenses incurred in the discharge of their duties, and such salary as the executive council shall fix. Not more than one special agent may be employed by the governor for a period in excess of thirty (30) days without the consent of the executive council.

**Sec. 62-a3. Temporary appropriation.**

There is appropriated, until July first, nineteen hundred twenty-five (1925), from any funds in the state treasury not otherwise appropriated, such sum as may be necessary to pay the salaries and expenses of special agents appointed by the governor.

That sections five (5) and six (6) of House File No. Ten (10) of the acts of the extra session of the Fortieth General Assembly, said House file being entitled "An act to amend, revise, and codify chapter six (6) of title two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general and making an appropriation for the expenses provided", are amended, revised, and codified to read as follows:

**Sec. 62-a4. Special counsel.**

No compensation shall be allowed to any person for services as an

attorney or counselor to any department of the state government, or the head thereof, or to any state board or commission, except in cases specially authorized by law, but the executive council may employ legal assistance, at a reasonable compensation, in any pending action or proceeding to protect the interests of the state, but only upon a sufficient showing, in writing, made by the attorney general, that his department can not for reasons stated by him perform said service, which reasons and action of the council shall be entered upon its records. Such compensation shall, until July first, nineteen hundred twenty-five (1925), be payable out of any unappropriated funds in the state treasury.

Sec. 62-a5. Expenses.

The attorney general and his assistants shall be repaid their actual and necessary expenses incurred in transacting their official duties at places other than the seat of government."

(2) Amend by inserting in the seventh line of the printed title immediately after the parenthetical term "(6476)" the following: ", sections ninety hundred fifty-six (9056) and ninety hundred fifty-seven (9057)".

(3) Amend by inserting immediately after the word "code," in the twentieth (20) line of the printed title, the following: "and sections five (5) and six (6) of House File No. Ten (10) of the acts of the extra session of the Fortieth General Assembly,".

On motion of Brittain of Madison the House adjourned until 10:00 a. m. Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 20, 1924.

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

Prayer was offered by the Rev. H. W. Munster, pastor of the First M. E. church, Danville, Iowa.

Journal of February 19th corrected and approved.

## PETITIONS

The following petitions urging the passage of a law providing for compulsory reading of the Bible in public schools were presented and referred to the committee on schools and textbooks:

By Olson of Clinton, from citizens of Clinton county.

By Gallagher of Iowa, from citizens of North English.

By Hauge of Polk, from members of the Douglas Avenue Church of Christ, Des Moines.

By Brittain of Madison, from citizens of Madison county.

By Dewar of Cherokee, from citizens of Cherokee county.

By Cole of Harrison, from members of the Church of Christ and members of the M. E. church of Woodbine.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Robson of Greene until Friday, on request of Children of Pottawattamie; Vincent of Guthrie for the day, on request of Garber of Adair.

## PROOF OF PUBLICATION OF HOUSE FILE NO. 290

The official proof of publication of House File No. 290, a bill for an act to legalize a special election held in the city of Iowa Falls, Iowa, for the erecting and equipping of a liberty memorial

building and the issuance of bonds to pay the cost thereof, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

#### COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor :

February 19, 1924.

*To the Senate and House of Representatives  
of the Fortieth General Assembly:*

The sanitary condition of some of the water courses of the state has become acute and dangerous. On February 15th instant, the State Board of Health, upon the petition of several hundred citizens of northeastern Iowa and after the introduction of a vast mass of evidence, issued the following order:

"That the Northern Sugar Corporation (a Mason City corporation) cease from discharging sewerage and water from their factory into Lime Creek (a tributary of Shell Rock River) until such time as it can devise and install methods in addition to those already installed by which all deleterious and other substances injurious to fish life or befouling in character shall be eliminated from the water so discharged."

In this connection the Board of Health, through its secretary, Dr. Rodney P. Fagan, writes me as follows:

"The condition of Lime Creek and Shell Rock River is an acute condition, but yet this condition as existing in the state is not isolated for the reason that we have before us as a state board of health similar conditions which have been complained of existing near Ottumwa, Cherokee, Fort Madison, Boone, Waterloo, and Fort Dodge, and it will only be a matter of a very short time until this department is confronted with the same problem as it is now trying to overcome in Cerro Gordo, Butler and Floyd counties. Lime Creek, from testimony produced, seems to be an open sewer. There is a stench arising from it which is nauseating as far as a quarter of a mile on either side. The water is absolutely unfit for domestic use or consumption, and the ice which comes from it is no better.

It would seem that the people who live along its banks get their water for domestic purposes from wells, which are undoubtedly polluted, and it is very evident that there is a possibility of a water-borne epidemic at any time, and a consequent serious loss of human life. The fact that there has not been as yet such an epidemic would seem to be merely a matter of fate rather than absence of cause. All but three or four rivers within the boundaries of this state arise and terminate therein, and as Iowa is becoming more settled, having a larger urban population and more industries, such as beet sugar factories, packing plants, creameries, gas works, cheese factories, canning companies, and corn products companies, together with the dairies, garbage disposal, oils from garages and filling stations, locating on the banks or within reach of our natural waterways, combining their industrial wastes with the municipal sewage which

we have already had to contend with, it is a well known fact that our beautiful streams, now teeming with wild life, are all rapidly becoming commercialized, and it is very questionable whether even at this time there is any original or natural stream producing culinary water without serious danger to the users, and as I have said it is easy enough to forecast that it is only a matter of time that every stream in the state will be in the same condition as Lime Creek and Shell Rock River—in other words, open sewers. Each one of the industries mentioned in this paragraph present a different problem in disposal of waste products."

The situation which obtains in Lime Creek and Shell Rock River, and that which is anticipated in the other streams, is altogether intolerable, and every consideration of public policy demands that it be corrected without delay. As you are aware the Board of Health has, under existing law, an annual appropriation of \$10,000.00—\$5,000.00 of which has been available to the Engineering Department. With this limited amount only one engineer can be employed, and it is apparent that no matter how vigilant and efficient such engineer may be, it is a physical impossibility for him adequately to prevent the pollution of the streams and the destruction of fish life. Your careful and immediate attention to the matter is directed as the subject is one of immense and imperative interest to the state. I recommend that such additional emergency appropriation be authorized as you may deem necessary to safeguard the welfare of the citizens of Iowa.

Respectfully submitted,

(Signed) N. E. KENDALL,  
*Governor.*

The communication was read and referred to the committee on appropriations.

#### CONSIDERATION OF BILLS

Special Order No. 1, House File No. 266, a bill for an act to amend, revise, and codify chapters six (6) and seven (7) of title twenty-eight (28) of the compiled code of Iowa, and of the supplement to said code, and sections seventy-four hundred eighty-three (7483), ninety-three hundred (9300), and ninety-four hundred twenty-one (9421) of the compiled code of Iowa, relating to jurors, was taken up for further consideration.

Clark of Linn asked unanimous consent to have action deferred on House File No. 266 until Thursday of this week.

Objection was made by Brittain of Madison.

Clark of Linn moved that action on House File No. 266 be deferred until Thursday of this week.

On the question "Shall action on House File No. 266 be deferred until Thursday of this week?" a roll call was demanded.

The ayes were:

Bradley	Gilbert	Oliver	Smith of
Brady	Gilmore	Olson	Chickasaw
Buffington	Grimwood	Ontjes	Stock
Clark	Hauge	Peterson	Strippel
Colbert	Healy	Powers	Wamstad
Cole	Henderson	Rankin	Weber
Donhowe	Johnson	Rhinehart	Williams
Doolittle	Knutson	Rust	Wilson
Edge	Letts	Sampson	Yenter
Elliott	Lovrien	Saunders	Mr. Speaker—44
Gallagher	Moen	Schirmer	
Gesman	O'Donnell		

The nays were:

Alken	Gilbertson	McClune	Rumley
Berry	Hansen	Mathews	Schulte
Blume	Hattendorf	Miller	Scott of
Brittain	Held	Napier	Appanoose
Criswell	Hempel	Natvig	Scott of Fremont
Dewar	Himebauch	Noble	Smith of Lucas
Dooley	Hollis	Orr	Stookesberry
Dotts	Huff	Parsons	Storey
Edson	Leonard	Patterson	Ulstad
Frahm	Lichty	Potts	Venard
Garber of Floyd	Lieberknecht	Rassler	Wolfe—46
Gibson	Long	Rewoldt	

Absent or not voting:

Anderson of	Diltz	Harrison	Ramsey
Webster	Fackler	King	Robson
Blake	Forsling	Lake	Slemmons
Carter	Garber of Adair	Matthiesen	Vincent—18
Children	Graham	Quirk	

The motion to defer action was lost.

The following amendment filed by Brittain of Madison to the amendments filed by him on February 14th was taken up and considered:

Amend the amendment to section seven (7) by striking out all of said amendment following the catchwords and inserting in lieu thereof the following:

"In all counties the clerk of the district court, the county auditor and the county recorder shall ex officio constitute the jury commission to draw jurors but shall receive no extra compensation as such. In all counties having a city with a population of more than fifteen thousand the judge or judges of the district court shall, on or before October first of each year in which the biennial election is held, appoint three (3) competent electors as a jury commission to select the grand and petit jurors and talesmen for two (2) years beginning January first after such election."

Forsling of Woodbury moved that action on House File No. 266 be deferred until Friday, February 22d, at 10:00 a. m.

Motion prevailed.

Senate File No. 123, a bill for an act to amend, revise, and codify chapter nine (9) of title eleven (11) and section twenty-nine hundred sixty-two (2962) of the compiled code of Iowa, relating to the township road system, the repair and improvement of the same, and the duties of the officers having jurisdiction thereover, with report of committee recommending passage without further amendment, was taken up for consideration.

Edson of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Garber of Floyd Gesman	McClune Mathews	Saunders Schirmer
Berry	Gilbert	Matthiesen	Schulte
Bradley	Gilbertson	Moen	Scott of Fremont
Brady	Gilmore	Napier	Smith of Chickasaw
Buffington	Graham	Natvig	Smith of Lucas
Carter	Hauge	O'Donnell	Stock
Clark	Healy	Oliver	Storey
Cole	Held	Olson	Strippel
Dewar	Hempel	Ontjes	Venard
Diltz	Henderson	Patterson	Wamstad
Doolittle	Himebauch	Peterson	Weber
Dotts	Hollis	Potts	Williams
Edge	Johnson	Quirk	Wilson
Edson	Knutson	Ramsey	Yenter
Elliott	Lake	Rassler	Mr. Speaker—75
Fackler	Letts	Rhinehart	
Forsling	Lichty	Rumley	
Gallagher	Lieberknecht	Rust	
Garber of Adair	Lovrien	Sampson	

The nays were:

Aiken	Crisswell	Huff	Rewoldt
Blake	Dooley	Leonard	Scott of Appanoose
Blume	Frahm	Miller	Slemmons
Brittain	Harrison	Jrr	Stookesberry—19
Children	Hattendorf	Parsons	

Absent or not voting:

Colbert	Hansen	Powers	Ulstad
Donhowe	King	Rankin	Vincent
Gibson	Long	Robson	Wolfe—14
Grimwood	Noble		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 111, a bill for an act to amend, revise, and codify chapter thirty-one (31) of title ten (10) of the compiled code of Iowa and of the supplement to said code, relating to education, was taken up for further consideration.

The following amendments filed by Carter of Hardin were taken up and considered:

Amend Senate File No. 111, section twenty-two (22), line four (4), by striking out the words "such sum as may be necessary" and by inserting in lieu thereof the words "for the biennium ending June thirtieth, nineteen hundred twenty-five (1925)".

Also amend said line four (4) by inserting between the words "appropriated" and "annually" the words and figures "two thousand dollars (\$2000.00)".

On motion of Mr. Carter the amendments were adopted.

Carter of Hardin offered the following amendment and moved its adoption:

Amend Senate File No. 111, section twelve (12), line one (1), by inserting after the word "officer" the words "or any director".

Amendment adopted.

Mr. Carter moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Dotts	Hansen	Lieberknecht
Anderson of	Edge	Harrison	Lovrien
Webster	Edson	Hattendorf	McClune
Blake	Elliott	Hauge	Mathews
Blume	Fackler	Healy	Matthiesen
Bradley	Forsling	Held	Moen
Brady	Frahm	Hempel	Napter
Brittain	Gallagher	Henderson	Natvig
Buffington	Garber of Adair	Himebauch	Noble
Carter	Garber of Floyd	Hollis	O'Donnell
Children	Gesman	Huff	Oliver
Clark	Gibson	Johnson	Olson
Colbert	Gilbert	Knutson	Ontjes
Cole	Gilbertson	Lake	Orr
Criswell	Gilmore	Leonard	Parsons
Dewar	Graham	Letts	Patterson
Dooley	Grimwood	Lichty	Peterson

Potts	Sampson	Smith of	Venard
Powers	Saunders	Chickasaw	Wamstad
Quirk	Schurmer	Smith of Lucas	Weber
Ramsey	Schulte	Stock	Williams
Rankin	Scott of	Stookesberry	Wilson
Rassler	Appanoose	Storey	Wolfe
Rewoldt	Scott of Fremont	Strippel	Yenter
Rhinehart	Slemmons	Ulstad	Mr. Speaker—98
Rust			

The nays were, none.

Absent or not voting:

Berry	Doolittle	Miller	Rumley
Diltz	King	Robson	Vincent—10
Donhowe	Long		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SPECIAL ORDER MADE

On motion of Moen of Lyon, Calendar No. 2, Senate File No. 7, was made special order for Tuesday, February 26th, at 10:00 a. m.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 44, 46 and 252.

Senate Files Nos. 165 and 187.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 44, 46 and 252; Senate Files Nos. 165 and 187.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports

that it has, on this twentieth day of February, 1924, sent to the Governor for his approval:

House Files Nos. 44, 46 and 252.

C. F. LETTS, *Chairman.*

Report adopted.

#### MOTION TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: I move to reconsider the vote by which House File No. 178 passed the House.

JOHN OLSON.

I second the motion.

FRED REWOLDT, JR.

#### AMENDMENTS FILED

Garber of Floyd filed the following amendment to House File No. 260:

Amend House File No. 260 relating to public health, by inserting after section sixteen-a nine (16-a9) the following:

"Sec. 16-a10. Violation—punishment.

Any person, firm or corporation violating any order made by the department as provided in section sixteen-a four (16-a4) shall be deemed guilty of a misdemeanor and shall be punished accordingly. In addition to the penalty herein provided, failure to obey any order made by the department with reference to matters pertaining to the pollution of streams shall constitute contempt and in such event the department may certify to the district court of the county in which such disobedience shall occur, or to the district court of Polk county, the fact of such failure and thereupon the district court shall proceed to hear and determine the matter and to punish for contempt to the same extent as though such failure were in connection with an order made by the district court which is made punishable by contempt. Any party found guilty of contempt shall be fined not to exceed one thousand dollars (\$1000.00) or be imprisoned for failure to pay such fine. The penalties provided in this act shall be considered as additional to any penalty which may be imposed under the nuisance statute or any other statute affecting the pollution of streams and a conviction or punishment under this act shall not be a bar to prosecution under any of such other penal statutes.

Rankin of Lee filed the following amendment to the amendment filed by Brittain of Madison on February 15th, to House File No. 266:

Amend the amendment filed on February 15th by Brittain of Madison to House File No. 266, by striking therefrom the word "fifteen" and inserting in lieu thereof the word "fourteen".

McClune of Mahaska filed the following amendment to the committee amendments to Senate File No. 41:

Amend the committee amendments to Senate File No. 41 by striking out the second amendment which amends section eighteen (18) of the bill.

Fackler of Adams filed the following amendments to House File No. 260:

Amend House File No. 260, section 129, subsection 1, line 7, by striking out the word "ward,".

Amend section 139, line 8, by striking out the word "licensed" preceding the word "embalmer".

Amend section 147, line 7, by striking out the words "a licensed" and inserting in lieu thereof the word "an".

Amend section 147-a2, line 12, by striking out the word "licensed".

Amend section 147-a6, line 1, by striking out the words "a licensed" and inserting in lieu thereof the word "an".

Amend section 202, subsection 1, line 5, by striking out the word "ward,".

Powers of Page filed the following amendments to the Senate amendments to House File No. 213:

Amend the Senate amendments to House File No. 213 by striking out all of said amendments adding sections 2-a1 and 2-a2 to the bill and substituting in lieu thereof the following:

"Sec. 2-a1. Freedom from venereal disease.

No license to marry shall be issued by the clerk until each party to the proposed marriage has presented a certificate to the clerk stating that said party is free from venereal disease in so far as to be fit to marry. Such certificate shall be executed not more than five (5) days prior to the issuance of the license by a physician appointed under the following section.

Sec. 2-a2. Appointment of examiners.

For the purpose of issuing the certificates provided in the preceding section the judges of the district court shall, on or before the first day of January of each year, appoint in each county of their district regularly licensed physicians and competent women nurses as follows:

1. In counties having a population of fifty thousand (50,000) or less, not more than four physicians and four nurses.

2. In counties having a population of more than fifty thousand (50,000), four physicians and not more than four nurses for the first fifty thousand (50,000) inhabitants and one physician and one nurse for every additional twenty-five thousand (25,000) inhabitants, or fractional part thereof.

Each appointee under this section shall serve for one (1) year or until his successor has been appointed and qualified. Such appointees shall be removable at the discretion of the judges making said appointments and all vacancies may be filled by them.

Sec. 2-a3. Duty of examiners.

Prior to the issuance of any such certificate the appointees under the preceding section shall satisfy themselves as to the freedom of the applicants from venereal disease in so far as to be fit to marry. A certificate issued by any such appointee shall be recognized by the clerk in any county of the state as a basis for issuing a marriage license. Any female appli-

cant may, at her option, be examined by a nurse appointee under the direction of a physician appointee.

Sec. 2-a4. Examination fee.

Each applicant shall pay to the examining physician a fee of not to exceed three dollars (\$3.00) and in case a nurse is employed a fee of not to exceed one dollar (\$1.00) for such service. Any necessary laboratory work in connection with any such investigation shall be done by the state bacteriological laboratory free of charge."

Also further amend by renumbering sections 2-a3 and 2-a4 as 2-a5 and 2-a6 respectively.

Forsling of Woodbury asked unanimous consent to have Senate File No. 171 considered at this time.

Objection was made.

Forsling of Woodbury moved that Senate File No. 171 be taken up for consideration at this time.

Children of Pottawattamie moved that the House now adjourn until 9:30 a. m. Thursday.

Motion prevailed and the House stood adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 21, 1924.

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

Prayer was offered by the Rev. H. E. Trimble, pastor of the Christian church, Zearing, Iowa.

Journal of February 20th corrected and approved.

## PETITIONS

The following petitions urging the passage of a law providing for compulsory reading of the Bible in public schools were presented and referred to the committee on schools and textbooks:

By Donhowe of Story, from members of the church of the United Brethren in Christ, Ames.

By Lake and Forsling of Woodbury, from citizens of Danbury.

By Carter of Hardin, from members of the Salem Evangelical church of Hubbard, and members of the Zion Evangelical church, Eldora.

By Carter of Hardin, from the Men's class of the First M. E. church, Eldora, and members of the Evergreen Evangelical church, Hardin county.

By Gilbert of Marshall, from citizens of Marshall county.

By Matthiesen of Clinton, from citizens of Clinton county.

By Rassler of Pocahontas, from members of the M. E. church, Palmer.

By Hauge of Polk, from citizens of Des Moines, and members of the First Presbyterian church, Des Moines.

Parsons of Calhoun presented a petition from citizens of Calhoun county protesting against the passage of a law providing

for compulsory reading of the Bible in public schools. Referred to the committee on schools and textbooks.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Rumley of Decatur for the day, on request of Frahm of Carroll.

#### REPORTS OF COMMITTEES

Harrison of Pottawattamie, from the committee on printing, submitted the following report:

MR. SPEAKER: Your committee on printing, to whom was referred Senate File No. 263, a bill for an act to amend, revise, and codify sections one hundred one-a one (101-a1), two hundred forty-one-a four (241-a4), two hundred forty-one-a sixty-four-b (241-a64b), two hundred forty-one-a sixty-four-c (241-a64c), two hundred forty-one-a sixty-five (241-a65), and two hundred forty-one-a seventy-four (241-a74) of the supplement to the compiled code of Iowa, relating to the state printing board and to the public reports of various public 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 be amended as follows, and when so amended the bill do pass:

Amend subsection five (5) of section six (6) by striking line eleven (11) and renumbering the following subsections.

E. P. HARRISON, *Chairman*.

Report adopted.

Hansen of Scott, from the committee on police regulation, submitted the following report:

MR. SPEAKER: Your committee on police regulation, to whom was referred Senate File No. 257, a bill for an act to amend, revise, and codify chapter seven-A (7-A) and chapter seven-B (7-B) of title five (5) of the supplement to the compiled code of Iowa, relating to cigarettes, cigarette papers, wrappers, and tubes and to the sale and advertisement of tobacco, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section six (6), line five (5), by striking out the word "mayor" and inserting in lieu thereof the word "clerk".

JOHN T. HANSEN, *Chairman*.

Report adopted.

#### CONSIDERTION OF BILLS

Senate File No. 41, a bill for an act to amend, revise, and codify

chapter one (1) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to coal mines and mining, with report of committee recommending amendment and passage, was taken up for consideration.

The following amendment filed by McClune of Mahaska to the committee amendments was taken up and considered:

Amend the committee amendments to Senate File No. 41 by striking out the second amendment which amends section eighteen (18) of the bill.

Mr. McClune moved the adoption of the amendment.

On the question "Shall the amendment by McClune of Mahaska be adopted?" a roll call was demanded.

The ayes were:

Bradley	Graham	Lieberknecht	Sampson
Clark	Grimwood	Long	Schulte
Cole	Hansen	McClune	Slemmons
Doolittle	Healy	Miller	Smith of
Frahm	Held	Moen	Chickasaw—28
Gallagher	Hempel	Noble	
Gibson	Hollis	Oliver	
Gilbertson	Lichty	Ontjes	

The nays were:

Anderson of	Edge	Letts	Rhinehart
Webetsr	Edson	Mathews	Saunders
Berry	Forsling	Matthiesen	Scott of
Blake	Gesman	Napier	Appanoose
Blume	Gilbert	Natvig	Scott of Fremont
Brady	Gilmore	O'Donnell	Smith of Lucas
Brittain	Harrison	Olson	Stock
Carter	Hattendorf	Orr	Strippel
Colbert	Henderson	Parsons	Ulstad
Criswell	Himebauch	Patterson	Venard
Dewar	Huff	Potts	Williams
Donhowe	Knutson	Quirk	Wilson
Dooley	Lake	Rassler	Wolfe
Dotts	Leonard	Rewoldt	Mr. Speaker—54

Absent or not voting:

Aiken	Garber of Floyd	Ramsey	Storey
Buffington	Hauge	Rankin	Vincent
Children	Johnson	Robson	Wamstad
Diltz	King	Rumley	Weber
Elliott	Lovrien	Rust	Yenter—26
Fackler	Peterson	Schirmer	
Garber of Adair	Powers	Stookesberry	

Amendment by McClune of Mahaska was rejected.

On motion of Berry of Monroe the amendments proposed by

the committee, found in the Journal of February 18th, were adopted.

Mr. Berry moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Frahm	Letts	Rewoldt
Anderson of Webster	Gallagher	Lichty	Rhinehart
Berry	Garber of Adair	Lieberknecht	Rust
Blake	Garber of Floyd	Long	Sampson
Blume	Gesman	Lovrien	Saunders
Bradley	Gibson	McClune	Schirmer
Brady	Gilbert	Mathews	Schulte
Brittain	Gilbertson	Matthiesen	Scott of Appanoose
Buffington	Gilmore	Miller	Scott of Fremont
Carter	Graham	Moen	Slemmons
Children	Grimwood	Napier	Smith of Chickasaw
Clark	Hansen	Natvig	Smith of Lucas
Colbert	Harrison	Noble	Stock
Cole	Hattendorf	O'Donnell	Storey
Criswell	Hauge	Oliver	Strippel
Dewar	Healy	Orr	Ulstad
Donhowe	Held	Parsons	Venard
Dooley	Hempel	Patterson	Wamstad
Doolittle	Henderson	Peterson	Weber
Dotts	Himebauch	Potts	Wilson
Edge	Hollis	Powers	Wolfe
Edson	Huff	Quirk	Mr. Speaker—99
Elliott	Johnson	Rankin	
Fackler	Knutson	Rassler	
Forsling	Lake		
	Leonard		

The nays were, none.

Absent or not voting:

Diltz	Robson	Vincent	Yenter—9
King	Rumley	Williams	
Ramsey	Stookesberry		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SENATE CONCURRENT RESOLUTION NO. 11 CONSIDERED

By unanimous consent, Senate Concurrent Resolution No. 11 was taken up for consideration:

*Whereas*, On January 29, 1924, the Executive Council approved a resolution passed by the board of conservation on October 12, 1923, requiring a tax or royalty to be collected on sand and gravel taken from meandered streams under the jurisdiction of the board of conservation; and

Whereas, This resolution carries no exemptions and goes into effect within ten days; therefore,

*Be It Resolved by the Senate, the House concurring:* That all sand and gravel which is to be used for the construction or maintenance of public improvements, including levees or drainage projects, shall be excepted from the operation of such resolution.

The following amendment to the resolution, filed by Doolittle of Delaware, was taken up and considered:

Amend Senate Concurrent Resolution No. 11 by adding to said resolution the following as a new paragraph:

"That the price of three cents (3c) a ton as set by the board of conservation for the removal of said sand and gravel, be confirmed, and that the exemptions provided in this resolution shall continue until February 1, 1925."

On motion of Mr. Doolittle the amendment was adopted.

By unanimous consent, the amendment filed by Doolittle of Delaware on February 11th was withdrawn.

On motion of Graham of Wapello, the House concurred in the Senate concurrent resolution, as amended.

#### CONSIDERATION OF BILLS

House File No. 72, a bill for an act to amend, revise, and codify section five hundred ninety-one (591) of the compiled code of Iowa, relating to the testimony of witnesses in cases of contested elections, with report of committee recommending passage, was taken up for consideration.

Graham of Wapello moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Children	Fackler	Grimwood
Anderson of	Colbert	Forsling	Hansen
Webster	Cole	Frahm	Harrison
Berry	Criswell	Gallagher	Hattendorf
Blake	Diltz	Garber of Adair	Healy
Blume	Donhowe	Garber of Floyd	Held
Bradley	Dooley	Gesman	Hempel
Brady	Doolittle	Gibson	Henderson
Brittain	Dotts	Gilbert	Himebauch
Buffington	Edge	Gilmore	Hollis
Carter	Elliott	Graham	Huff

Johnson	Natvig	Rhinehart	Stookesberry
Knutson	Noble	Rust	Storey
Lake	O'Donnell	Sampson	Strippel
Leonard	Oliver	Saunders	Ulstad
Letts	Olson	Schirmer	Venard
Lichty	Ontjes	Schulte	Vincent
Lieberknecht	Orr	Scott of	Wamstad
Long	Parsons	Appanoose	Weber
Lovrien	Patterson	Scott of Fremont	Williams
McClune	Peterson	Slemmons	Wilson
Mathews	Potts	Smith of	Wolfe
Matthiesen	Quirk	Chickasaw	Mr. Speaker—95
Miller	Rankin	Smith of Lucas	
Napier	Rassler	Stock	

The nays were, none.

Absent or not voting:

Clark	Hauge	Powers	Robson
Dewar	King	Ramsey	Rumley
Edson	Moen	Rewoldt	Yenter—13
Gilbertson			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 51, a bill for an act to amend, revise, and codify sections nine hundred sixteen (916), nine hundred seventeen (917), nine hundred nineteen (919), nine hundred sixty-two (962), nine hundred sixty-five (965) to nine hundred sixty-seven (967), inclusive, nine hundred sixty-nine (969) to nine hundred seventy-three (973), inclusive, nine hundred seventy-eight (978), nine hundred seventy-nine (979), nine hundred eighty (980), nine hundred eighty-one (981) to nine hundred ninety-seven (997), inclusive, nine hundred ninety-nine (999) to ten hundred eighteen (1018), inclusive, ten hundred twenty (1020), ten hundred twenty-three (1023), and ten hundred twenty-five (1025) to ten hundred twenty-seven (1027), inclusive, ninety-two hundred sixty-six (9266) and ninety-two hundred sixty-seven (9267), of the compiled code of Iowa, and sections nine hundred fourteen (914), nine hundred fifteen (915), nine hundred eighteen (918), nine hundred sixty-eight (968), nine hundred seventy-four-a one (974-a1) to nine hundred seventy-four-a three (974-a3), inclusive, nine hundred seventy-five (975), nine hundred seventy-six-a one (976-a1) to nine hundred seventy-six-a six (976-a6), inclusive, nine hundred seventy-seven-a one (977-a1) to nine hundred seventy-seven-a seven (977-a7), inclusive, nine hundred ninety-eight (998), ten hundred nineteen (1019), ten hundred twenty-a one (1020-a1), and ten hundred twenty-four (1024) of

the supplement to said code, relating to intoxicating liquors. Also amending section nine thousand fifteen (9015) of the compiled code referring to the penalties for smuggling liquors, narcotics, firearms or other devices for escape into jails and penal institutions of this state, with report of committee recommending amendment and passage, was taken up for consideration.

Blake of Fayette moved that Senate File No. 51, as amended by the Senate, be ordered printed and that the bill be not further considered until printed copies of the bill, as amended, are on the members' desks.

By unanimous consent action on the motion of Blake of Fayette was deferred until disposition of the amendments proposed by the committee.

On motion of Vincent of Guthrie the amendments proposed by the committee, found in the Journal of February 19th, were adopted.

Rankin of Lee offered the following amendment and moved its adoption:

Amend Senate File No. 51 by striking therefrom all of section one hundred thirty-one (131); also the three lines immediately preceding said section 131.

Amendment adopted.

Hauge of Polk offered the following amendment:

Amend Senate File No. 51 by striking therefrom all of section one hundred one (101).

Blake of Fayette raised the point of order that the question before the House was on his motion to defer action and to order the bill printed.

The Speaker ruled that the point was well taken.

Bradley of Poweshiek moved as a substitute motion for the motion of Blake of Fayette that further action on Senate File No. 51 be deferred until Tuesday, February 26th, at 11:00 a. m. and that the bill, as now amended, be ordered printed.

Substitute motion prevailed.

#### SPECIAL ORDER NO. 2

Special Order No. 2, the motion to reconsider the vote by which the House amended and concurred in the Senate amendments to House File No. 213, was taken up for consideration.

On the question "Shall the House reconsider the vote by which the House amended and concurred in the Senate amendments to House File No. 213?"

The ayes were:

Alken	Forsling	Lichty	Rust
Anderson of Webster	Frahm Gallagher	Lieberknecht Long	Sampson Saunders
Berry	Garber of Adair	Lovrien	Schirmer
Blake	Garber of Floyd	McClune	Scott of
Blume	Gesman	Mathews	Appanoose
Bradley	Gibson	Matthiesen	Scott of Fremont
Brady	Gilbert	Miller	Slemmons
Brittain	Gilmore	Moen	Smith of
Buffington	Graham	Napier	Chickasaw
Carter	Grimwood	Natvig	Smith of Lucas
Children	Hansen	O'Donnell	Stock
Clark	Harrison	Oliver	Stookesberry
Colbert	Healy	Olson	Storey
Cole	Held	Ontjes	Strippel
Criswell	Hempel	Orr	Ulstad
Dewar	Henderson	Parsons	Venard
Donhowe	Himebauch	Patterson	Vincent
Dooley	Hollis	Peterson	Wamstad
Doolittle	Huff	Potts	Weber
Dotts	Johnson	Powers	Williams
Edge	Knutson	Quirk	Wilson
Edson	Lake	Rankin	Wolfe
Elliott	Leonard	Rassler	Yenter
Fackler	Letts	Rewoldt	Mr. Speaker—97

The nays were:

Hattendorf	Noble	Schulte—3
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Absent or not voting:

Diltz	Hauge	Ramsey	Robson
Gilbertson	King	Rhinehart	Rumley—8

The House reconsidered the vote by which the House amended and concurred in the Senate amendments to House File No. 213.

The following amendments filed by Powers of Page were taken up for consideration:

Amend the Senate amendments to House File No. 213 by striking out of said amendments sections 2-a1 and 2-a2 as amended by the House and substituting in lieu thereof the following:

"Sec. 2-a1. Freedom from venereal disease.

No license to marry shall be issued by the clerk until each party to the proposed marriage has presented a certificate to the clerk stating that said party is free from venereal disease in so far as to be fit to marry. Such certificate shall be executed, not more than five (5) days prior to the issuance of the license, by a physician appointed under the following section.

**Sec. 2-a2. Appointment of examiners.**

For the purpose of issuing the certificates provided in the preceding section the judges of the district court shall, on or before the first day of January of each year, appoint in each county of their district regularly licensed physicians and competent women nurses as follows:

1. In counties having a population of fifty thousand (50,000) or less, not more than four physicians and four nurses.

2. In counties having a population of more than fifty thousand (50,000), four physicians and not more than four nurses for the first fifty thousand (50,000) inhabitants and one physician and one nurse for every additional twenty-five thousand (25,000) inhabitants, or fractional part thereof.

Each appointee under this section shall serve for one (1) year or until his successor has been appointed and qualified. Such appointees shall be removable at the discretion of the judges making said appointments and all vacancies may be filled by them.

**Sec. 2-a3. Duty of examiners.**

Prior to the issuance of any such certificate the appointees under the preceding section shall satisfy themselves as to the freedom of the applicants from venereal disease in so far as to be fit to marry. A certificate issued by any such appointee shall be recognized by the clerk in any county of the state as a basis for issuing a marriage license. Any female applicant may, at her option, be examined by a nurse appointee under the direction of a physician appointee.

**Sec. 2-a4. Examination fee.**

Each applicant shall pay to the examining physician a fee of not to exceed three dollars (\$3.00) and in case a nurse is employed an additional fee of not to exceed one dollar (\$1.00) to the nurse for such service. Any necessary laboratory work in connection with any such investigation shall be done by the state bacteriological laboratory free of charge."

Also further amend by renumbering sections 2-a3 and 2-a4 as 2-a5 and 2-a6 respectively.

Clark of Linn offered the following amendments to the amendments by Powers of Page and moved their adoption:

Amend the amendments by Powers of Page by adding to section 2-a2 the following:

Said judges shall immediately upon making any such appointments, whether for full term or to fill a vacancy, report the names and addresses of said appointees to the secretary of the state board of health.

Also amend the amendments by inserting as section 2-a3 the following:

**Sec. 2-a3. Duty of state board of health.**

The secretary of the state board of health shall certify lists of said appointments from all of the counties of the state to the clerk of the district court of each county. The state board of health shall also pre-

pare blanks for the certificates herein required, and provide each of said appointees with a sufficient number of said blanks.

Amend the amendments by renumbering the remaining sections.

Amendments by Clark of Linn to the amendments by Powers of Page adopted.

Anderson of Webster offered the following amendment to the amendments by Powers of Page:

Amend the amendments by Powers of Page by striking from section 2-a4 the words and figures "three dollars (\$3.00)" and inserting in lieu thereof the words and figures "two dollars (\$2.00)".

On the question "Shall the amendments be adopted?" a roll call was demanded.

The ayes were:

Aiken	Gibson	Miller	Scott of
Anderson of	Gilbertson	Napier	Appanoose
Webster	Graham	Natvig	Slemmons
Berry	Hattendorf	Noble	Smith of
Children	Hempel	Patterson	Chickasaw
Dooley	Huff	Rassler	Smith of Lucas
Dotts	Leonard	Rewoldt	Stookesberry
Frahm	Mathews	Schulte	Vincent
Garber of Floyd	Matthiesen		Wolfe—32

The nays were:

Blake	Forsling	Lichty	Rhinehart
Blume	Gallagher	Lieberknecht	Rust
Bradley	Garber of Adair	Long	Sampson
Brady	Gesman	Lovrien	Saunders
Brittain	Gilbert	McClune	Schirmer
Buffington	Gilmore	Moen	Scott of Fremont
Clark	Grimwood	O'Donnell	Stock
Cole	Hansen	Oliver	Storey
Criswell	Held	Olson	Venard
Dewar	Henderson	Ontjes	Weber
Donhowe	Hollis	Orr	Williams
Doolittle	Johnson	Parsons	Wilson
Edge	Knutson	Peterson	Yenter
Edson	Lake	Powers	Mr. Speaker—59
Elliott	Letts	Rankin	

Absent or not voting:

Carter	Hauge	Potts	Rumley
Colbert	Healy	Quirk	Strippel
Diltz	Himebauch	Ramsey	Ulstad
Fackler	King	Robson	Wamstad—17
Harrison			

Amendment rejected.

Forsling of Woodbury offered the following amendment to the amendments by Powers of Page and moved its adoption:

Amend the amendments by Powers of Page by striking out section 2-a2 and inserting in lieu thereof the following:

"For the purpose of making such examination and issuance of certificates the judges of the district court shall appoint regularly licensed physicians and competent women nurses. Such appointments shall continue until revoked at the discretion of the court or judge making the appointment."

Lake of Woodbury moved that the House now adjourn until 1:30 p. m. today.

Children of Pottawattamie moved to amend the motion by changing the hour from 1:30 p. m. to 3:00 p. m.

Amendment adopted.

Motion of Lake of Woodbury, as amended, prevailed and the House stood adjourned.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Frahm of Carroll for the remainder of the week, on request of Blume of Crawford.

#### REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred House File No. 290, a bill for an act to legalize a special election held in the city of Iowa Falls, Iowa, for the erecting and equipping of a liberty memorial building and the issuance of bonds to pay the cost 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. F. CLARK, *Chairman.*

Report adopted.

#### BUSINESS PENDING

The House resumed consideration of the Senate amendments to House File No. 213.

The question before the House was on the amendment by Forsling of Woodbury to the amendments by Powers of Page.

On the question "Shall the amendment by Forsling of Woodbury be adopted?" a roll call was demanded.

The ayes were:

Aiken	Gilbertson	Long	Rassler
Anderson of Webster	Hansen	Miller	Rewoldt
Blake	Harrison	Natvig	Schulte
Colbert	Hattendorf	Noble	Scott of Appanoose
Dooley	Hempel	O'Donnell	Smith of Lucas
Dotts	Himebauch	Olson	Stookesberry
Forsling	Knutson	Ontjes	Yenter—33
Garber of Floyd	Lake	Patterson	
	Leonard	Ramsey	

The nays were:

Berry	Gallagher	Lovrien	Schirmer
Blume	Gesman	McClune	Scott of Fremont
Brady	Gibson	Mathews	Slemmons
Brittain	Gilbert	Matthiesen	Smith of Chickasaw
Buffington	Gilmore	Moen	Stock
Carter	Grimwood	Napier	Storey
Children	Hauge	Orr	Strippel
Clark	Healy	Parsons	Venard
Cole	Held	Peterson	Vincent
Criswell	Henderson	Powers	Weber
Donhowe	Hollis	Quirk	Williams
Doolittle	Johnson	Rankin	Wilson
Edge	Letts	Rust	Wolfe
Elliott	Lichty	Sampson	Mr. Speaker—59
Fackler	Lieberknecht	Saunders	

Absent or not voting:

Bradley	Frahm	King	Robson
Dewar	Garber of Adair	Oliver	Rumley
Diltz	Graham	Potts	Ulstad
Edson	Huff	Rhinehart	Wamstad—16

Amendment by Forsling of Woodbury was rejected.

Blake of Fayette offered the following amendment to the amendments by Powers of Page and moved its adoption:

Amend the amendments by Powers of Page by striking from line three (3) of section 2-a1 the words "in so far as to be fit to marry".

Amendment rejected.

Lovrien of Humboldt offered the following amendments to the amendments by Powers of Page and moved their adoption:

Amend section 2-a1 of the amendment by Powers of Page by striking from line four (4) the word "more" and inserting in lieu thereof the word "earlier", and by striking from line five (5) the words "issuance of the license" and inserting in lieu thereof the words "filing of the application for the marriage license and".

Amend section 2-a4 of said amendment by striking the word "the" from line four (4) and inserting in lieu thereof the word "any".

#### Amendments adopted.

Potts of Lee offered the following amendment to the amendments by Powers of Page and moved its adoption:

Amend the amendment offered by Powers of Page by adding thereto the following:

Sec. 2-a6. Any examining physician as provided herein who fails to report any such applicant who he found upon examination to be afflicted with a venereal disease to the board of health of such county shall be guilty of a misdemeanor and upon conviction thereof be fined in a sum of not to exceed \$500.00 or imprisonment in the county jail not to exceed six months or both such fine and imprisonment. And in addition thereto shall be liable to the party injured for all damages as a result of his failure so to do.

#### Amendment rejected.

Powers of Page moved the adoption of the amendments proposed by him, as amended.

On the question "Shall the amendments by Powers of Page, as amended, be adopted?" a roll call was demanded.

#### The ayes were:

Bradley	Gilbert	Moen	Slemmons
Brady	Gilmore	Napier	Smith of
Brittain	Grimwood	Natvig	Chickasaw
Buffington	Harrison	Olson	Stock
Carter	Hauge	Ontjes	Storey
Children	Healy	Parsons	Strippel
Clark	Held	Patterson	Venard
Colbert	Henderson	Peterson	Vincent
Cole	Himebauch	Powers	Wamstad
Criswell	Hollis	Quirk	Weber
Dewar	Johnson	Ramsey	Williams
Donhowe	Lake	Rankin	Wilson
Doolittle	Letts	Rhinehart	Wolfe
Dotts	Lichty	Rust	Yenter
Elliott	Lieberknecht	Sampson	Mr. Speaker--68
Forsling	Lovrien	Saunders	
Gesman	McClune	Schirmer	
Gibson	Mathews	Scott of Fremont	

#### The nays were:

Aiken	Gallagher	Leonard	Rewoldt
Anderson of	Garber of Floyd	Long	Schulte
Webster	Gilbertson	Miller	Scott of
Berry	Hansen	Noble	Appanoose
Blake	Hattendorf	O'Donnell	Smith of Lucas
Blume	Hempel	Oliver	Stookesberry--28
Dooley	Huff	Orr	
Edge	Knutson	Rassler	

## Absent or not voting:

Diltz	Frahm	King	Robson
Edson	Garber of Adair	Matthiesen	Rumley
Fackler	Graham	Potts	Ulstad—12

The amendments by Powers of Page, as amended, were adopted.

Clark of Linn moved that the House concur in the Senate amendments, as amended, to House File No. 213.

On the question "Shall the House concur in the Senate amendments, as amended, to House File No. 213?"

## The ayes were:

Bradley	Grimwood	Mathews	Smith of
Brittain	Hauge	Parsons	Chickasaw
Buffington	Held	Peterson	Stock
Carter	Henderson	Powers	Storey
Clark	Himebauch	Quirk	Strippel
Cole	Hollis	Ramsey	Venard
Criswell	Johnson	Rankin	Vincent
Donhowe	Knutson	Rhinehart	Weber
Doolittle	Lake	Rust	Williams
Gesman	Letts	Sampson	Wilson
Gibson	Lichty	Saunders	Wolfe
Gilbert	Lieberknecht	Schirmer	Yenter—50
Gilmore	Lovrien	Scott of Fremont	

## The nays were:

Aiken	Elliott	Long	Patterson
Anderson of	Fackler	McClune	Potts
Webster	Forsling	Matthiesen	Rassler
Berry	Gallagher	Miller	Rewoldt
Blake	Garber of	Floyd Moen	Schulte
Blume	Gilbertson	Napier	Scott of
Brady	Hansen	Natvig	Appanoose
Children	Harrison	Noble	Slemmons
Colbert	Hattendorf	O'Donnell	Smith of Lucas
Dewar	Healy	Oliver	Stookesberry
Dooley	Hempel	Olson	Ulstad
Dotts	Huff	Ontjes	Wamstad
Edge	Leonard	Orr	Mr. Speaker—50

## Absent or not voting:

Diltz	Frahm	Graham	Robson
Edson	Garber of Adair	King	Rumley—8

The House refused to concur in the Senate amendments, as amended, to House File No. 213.

## CONSIDERATION OF BILLS

Senate File No. 171, a bill for an act to amend, revise, and codify sections three thousand nine hundred fifty-five (3955),

three thousand nine hundred fifty-six (3956), three thousand nine hundred sixty-four (3964) and three thousand nine hundred sixty-five (3965) of the compiled code of Iowa, and section three thousand nine hundred fifty-seven (3957) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of O'Donnell of Dubuque, the amendments proposed by the committee, found in the Journal of February 19th, were adopted.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend Senate File No. 171 by adding thereto the following:

That section thirty-nine hundred sixty (3960) of the compiled code of Iowa is amended, revised and codified to read as follows:

Sec. 6. Certificate of completion of work.

No money received by the city treasurer from the sale of street improvement and sewer bonds or certificates shall be paid out, nor shall any certificate be issued to the contractor or sold, except upon the resolution of the council ordering the same, and no such resolution for the delivery of any bonds or certificates, or the payment of any of the proceeds of said bonds or certificates, shall be made until the certificate of the city engineer or other competent person selected has been filed, stating that the work contracted for or a completed part thereof, as the case may be, has been completed according to the terms and stipulations of the contract.

Amendment adopted.

Mr. O'Donnell moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Cole	Gesman	Himebauch
Anderson of	Criswell	Gibson	Hollis
Webster	Dewar	Gilbert	Huff
Blake	Donhowe	Gilbertson	Johnson
Blume	Dooley	Gilmore	Knutson
Bradley	Doolittle	Harrison	Leonard
Brady	Dotts	Hattendorf	Letts
Brittain	Elliott	Hauge	Lichty
Buffington	Fackler	Healy	Lieberknecht
Carter	Forsling	Held	Long
Children	Gallagher	Hempel	McClune
Colbert	Gaber of Floyd	Henderson	Mathews

Matthiesen	Peterson	Scott of	Venard
Moen	Potts	Appanoose	Vincent
Napier	Quirk	Slemmons	Wamstad
Natvig	Rankin	Smith of	Weber
Noble	Rhinehart	Chickasaw	Williams
O'Donnell	Rust	Smith of Lucas	Wilson
Olson	Sampson	Stock	Yenter
Ontjes	Saunders	Stookesberry	Mr. Speaker—86
Orr	Schirmer	Storey	
Parsons	Schulte	Strippel	
Patterson	Scott of Fremont	Ulstad	

The nays were, none.

Absent or not voting:

Berry	Garber of Adair	Lovrien	Rewoldt
Clark	Graham	Miller	Robson
Diltz	Grimwood	Oliver	Rumley
Edge	Hansen	Powers	Wolfe—22
Edson	King	Ramsey	
Frahm	Lake	Rassler	

So the bill having received a constitutional majority was declared to have passed the House.

Forsling of Woodbury offered the following amendment to the title and moved its adoption:

Amend the title to Senate File No. 171 by inserting after the figures "(3956)," in line three (3) the following: "three thousand nine hundred sixty (3960)."

Amendment adopted and 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. 30, a bill for an act relating to contesting elections of state officers.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 50, a bill for an act relating to the suspension of state officers.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 21, a bill for an act relating to nominations by primary elections.

Also, that the Senate insists on its amendment to House File No. 144, a bill for an act relating to relief for soldiers, sailors, and marines, and

requests that a conference committee be appointed. The President has appointed as such conference committee on the part of the Senate, Senators Shinn, Abben, Thurston and Campbell.

Also, that the Senate insists on its amendments to House File No. 71, a bill relating to estrays and trespassing animals, and requests a conference committee. The President has appointed as members of the conference committee on the part of the Senate, Senators Banta, Johnston, Smith and Nelson.

Also, that the Senate has refused to concur in the House amendments to Senate File No. 125, a bill for an act relating to destruction of weeds.

Also, that the President has appointed as a conference committee on Senate File No. 119 on the part of the Senate, Senators Holdoegel, Brookins, Tuck and Slosson.

Also, that the Senate has adopted the report of the conference committee on Senate File No. 39, a bill for an act relating to the administration of oaths.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 68-A, a bill for an act relating to the eradication of bovine tuberculosis.

Also, that the Senate has amended and concurred in the House amendments to Senate File No. 155, a bill relating to municipal corporations—civil service commission.

L. W. AINSWORTH, *Secretary.*

#### SENATE MESSAGE CONSIDERED

Senate File No. 21, a bill for an act to amend, revise, and codify chapter two (2) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to nominations by primary elections and convention, also to amend section three (3) of House File two hundred fifty-eight (258), passed at the extra session of the fortieth general assembly, entitled "an act relating to the nomination and election of officers, employees, and assistants in cities acting under the commission form of government".

Read first and second times and referred to committee on elections.

#### REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 39

MR. SPEAKER: Your conference committee, to whom was referred Senate File No. 39, a bill for an act to amend, revise and codify section 704 of the compiled code of Iowa, relating to the administration of oaths, begs leave to report that it has had the same under consideration, and recommends that the differences between the Senate and the House be compromised as follows:

1. That the House shall recede from the amendments proposed and adopted by it.

2. Amend Senate File No. 39 as passed by the Senate, by striking out all of subsection two of section one, and inserting in lieu thereof the following:

"Official court reporters of district, superior and municipal courts in taking depositions under appointment or by agreement of counsel".

E. P. HARRISON  
 RAY YENTER  
 R. O. GARBER  
 JNO. A. STOREY  
 ED. H. CAMPBELL  
 RAY P. SCOTT  
 J. O. SHAFF

#### SENATE AMENDMENTS TO HOUSE FILE NO. 68-A

Amend section twenty-eight (28) by striking out all after the word "dollars" in line 7 down to and including the word "imprisonment" in line 9 of said section, and by placing a period after the word "dollars".

Also amend section twenty-eight (28) line 10 by inserting after the word "the" the word "breeding".

Also amend section twenty-eight (28) line 11 by changing the word "his" to the word "said".

Amend section thirty (30) by striking out the word "every" in line one (1) and inserting the words "on or before November 1st of each".

#### SENATE AMENDMENT TO HOUSE AMENDMENTS TO SENATE FILE NO. 155

Amend the House amendment to section 9 by inserting after the word "plan," in line 3 thereof the following: "the chief of the fire department shall be appointed from the civil service list, and".

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on February 21st, approved the following bills: House Files Nos. 44 and 252.

#### SPECIAL ORDER MADE

On request of Elliott of Scott, unanimous consent having been obtained, House File No. 260 was made a special order for Wednesday, February 27th, at 10:00 a. m.

#### HOUSE REQUESTS RETURN OF BILL FROM GOVERNOR

O'Donnell of Dubuque moved that the Governor be requested to

return to the House, for further consideration, House File No. 46.  
Motion prevailed.

#### APPOINTMENT OF CONFERENCE COMMITTEES

As a conference committee on House File No. 144, the Speaker appointed the following members on the part of the House: Diltz of Polk, Clark of Linn, Yenter of Johnson and Oliver of Monona.

As a conference committee on House File No. 71, the Speaker appointed the following members on the part of the House: Robson of Greene, Children of Pottawattamie and Buffington of Mills.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File No. 237.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: Senate File No. 237.

#### AMENDMENTS FILED

Garber of Floyd filed the following amendment to House File No. 260:

Amend House File No. 260, relating to public health, by inserting after section sixteen-a nine (16-a9) the following:

"Sec. 16-a10. Violation of order—contempt.

Failure to obey any order made by the department with reference to matters pertaining to the pollution of streams shall constitute contempt. In such event the department may certify to the district court of the county in which such disobedience shall occur, or to the district court of Polk county, the fact of such failure. The district court shall then proceed to hear and determine the matter and to punish for contempt to the same extent as though such failure were in connection with an order made by the district court which is made punishable by contempt. Any

party found guilty of contempt under this section shall be fined not to exceed one thousand dollars (\$1000.00) or be imprisoned for failure to pay such fine. The penalties provided in this section shall be considered as additional to any penalty which may be imposed under the law relative to nuisances or any other statute relating to the pollution of streams, and a conviction under this section shall not be a bar to prosecution under any other penal statute.

Clark of Linn, Doolittle of Delaware, and Johnson of Dickinson filed the following amendments to the amendments filed by Brittain of Madison to House File No. 266, and to the main bill:

Amend the amendments offered by Brittain of Madison to House File No. 266, as found in the House Journal of February 14th, as follows:

(1) Strike out the amendments to section 7 as amended, and insert in lieu thereof the following:

"Sec. 7. Appointment.

In all counties the clerk of the district court, the county auditor, and the county recorder shall ex officio constitute the jury commission to draw jurors, but shall receive no extra compensation as such. In each county having situated therein a city with a population of fourteen thousand (14,000) or more, the judge or judges of the district court of the judicial district in which said county is located shall, on or before October first of each year in which the general election is held, appoint three (3) competent electors as a jury commission to select and make lists of the names of persons to serve as grand and petit jurors and talesmen for the two (2) years beginning January first after such election".

(2) Amend the amendment to line 11 of section 17 by inserting in lieu of the words "last biennial election" the words "last general election".

(3) Amend the amendment to lines 5 and 6 of section 20 by striking out the words "last biennial election" and inserting in lieu thereof the words "last general election".

(4) Amend section 21-a1 by striking out of line 1 the words "an ex officio" and inserting in lieu thereof the words "no appointive jury"; also by striking out of line 5 of said section the word "drawn" and inserting in lieu thereof the word "selected".

(5) Amend section 21-a2 by striking out of line 1 thereof the words "an ex officio" and inserting in lieu thereof the words "no appointive".

(6) Amend the amendment to section 22 by inserting between the words "appointive" and "commission" in line 5 thereof the word "jury".

(7) Amend the amendment of line 5, section 24, by striking out the words "biennial election" and inserting in lieu thereof the words "general election".

Amend said House File No. 266 as follows:

(1) Amend section 16 of the bill by striking from line 10 thereof the words and figures "one-seventh ( $\frac{1}{7}$ )" and inserting in lieu thereof the words and figures "one-eighth ( $\frac{1}{8}$ )".

(2) Amend by inserting at the end of section 17, as subdivision 10, the following:

"10. Who was a judge or clerk at said election."

(3) Amend section 22 by inserting after line 21 thereof, as subdivision 10, the following:

"10. (In counties not having an appointive jury commission.) Who is a judge or clerk at this election".

(4) Amend section 57 by striking out of line 5 thereof the words "jury commissioners" and inserting in lieu thereof the words "appointive jury commissioners or ex officio jury commissioners as the case may be". Also amend by adding at the end of the section the following:

"If the ex officio commissioners are called upon to act they shall make up the lists in the same manner as such lists are required to be made by appointive commissioners."

On motion of Children of Pottawattamie the House adjourned until 9:30 a. m. Friday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 22, 1924.

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

Prayer was offered by the Rev. Chas. M. Edmundson, pastor of the First M. E. church, Perry, Iowa.

Journal of February 21st corrected and approved.

## PETITIONS

The following petitions urging the passage of a law providing for compulsory reading of the Bible in public schools were presented and referred to the committee on schools and text-books:

By Doolittle of Delaware, from members of Greeley M. E. church, and citizens of Greeley.

By Napier of Ringgold, from citizens of Ringgold county.

By Rewoldt of Bremer, from citizens of Bremer county.

By Patterson of Kossuth, from citizens of Kossuth county.

By Scott of Fremont, from ministers of Hamburg.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Yenter of Johnson for the remainder of the week, on request of Doolittle of Delaware; Edson of Buena Vista for the remainder of the week, on request of Dotts of Wayne; Leonard of Taylor for the day, on request of Napier of Ringgold.

## HOUSE INSISTS UPON AMENDMENTS

Johnson of Dickinson moved that the House insist upon its amendments to Senate File No. 125.

Motion prevailed.

## APPOINTMENT OF CONFERENCE COMMITTEE

As a conference committee on Senate File No. 125, the Speaker appointed the following members on the part of the House: Vincent of Guthrie, Johnson of Dickinson, Venard of Sioux and Brady of O'Brien.

## REPORT OF CONFERENCE COMMITTEE CONSIDERED

The report of the conference committee on Senate File No. 39, found in the House Journal of February 21st, was taken up and considered.

Harrison of Pottawattamie moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Aiken	Gilbertson	Napier	Schulte
Anderson of	Gilmore	Natvig	Scott of
Webster	Grimwood	Noble	Appanoose
Berry	Harrison	Oliver	Scott of Fremont
Blake	Hattendorf	Olson	Slemmons
Blume	Healy	Ontjes	Smith of
Brady	Held	Orr	Chickasaw
Brittain	Hempel	Parsons	Smith of Lucas
Children	Henderson	Peterson	Stock
Colbert	Hollis	Quirk	Stookesberry
Cole	Huff	Rankin	Storey
Criswell	King	Rassler	Strippel
Dooley	Lake	Rewoldt	Venard
Dotts	Lichty	Rhinehart	Wamstad
Edge	Lieberknecht	Robson	Weber
Fackler	Long	Rumley	Williams
Gallagher	Lovrien	Rust	Wilson
Gesman	Mathews	Sampson	Wolfe
Gibson	Matthiesen	Saunders	Mr. Speaker—76
Gilbert	Moen	Schirmer	

The nays were, none.

Absent or not voting:

Bradley	Edson	Hauge	O'Donnell
Buffington	Elliott	Himebauch	Patterson
Carter	Forsling	Johnson	Potts
Clark	Frahm	Knutson	Powers
Dewar	Garber of Adair	Leonard	Ramsey
Diltz	Garber of Floyd	Letts	Ulstad
Donhowe	Graham	McClune	Vincent
Doolittle	Hansen	Miller	Yenter—32

The report of the conference committee and the amendments proposed by said conference committee to Senate File No. 39 were adopted.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Williams of Montgomery, House File No. 68-A, a bill for an act to repeal section ten (10) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly, as amended by chapter forty-four (44), acts of the thirty-ninth (39) general assembly, and by section one (1) of chapter forty-nine (49), acts of the fortieth (40) general assembly; section eleven (11) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly, as amended by chapter one hundred ninety-four (194), acts of the thirty-ninth (39) general assembly; sections twelve (12) and thirteen (13) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly; section three (3) of chapter one hundred sixty-nine (169), acts of the thirty-ninth (39) general assembly; chapter forty-eight (48), acts of the fortieth (40) general assembly; and section two (2), chapter forty-nine (49), acts of the fortieth (40) general assembly, relating to the eradication of bovine tuberculosis, and to enact a substitute therefor, with Senate amendments found in the House Journal of February 21st, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Aiken	Fackler	Huff	Oliver
Anderson of	Gallagher	Johnson	Olson
Webster	Garber of Adair	King	Ontjes
Berry	Gesman	Lichty	Orr
Blake	Gibson	Lieberknecht	Parsons
Bradley	Gilbert	Long	Patterson
Brady	Gilmore	Lovrien	Peterson
Brittain	Grimwood	McClune	Powers
Buffington	Harrison	Mathews	Quirk
Children	Hattendorf	Matthiesen	Rankin
Colbert	Healy	Moen	Rassler
Dewar	Held	Napier	Rewoldt
Dooley	Hempel	Natvig	Rhinehart
Dotts	Henderson	Noble	Robson
Edge	Hollis	O'Donnell	Rumley

Rust	Scott of	Stock	Wamstad
Sampson	Appanoose	Stookesberry	Weber
Saunders	Slemmons	Storey	Williams
Schirmer	Smith of	Strippel	Wilson
Schulte	Chickasaw	Venard	Wolfe
Scott of Fremont	Smith of Lucas	Vincent	Mr. Speaker—81

The nays were:

Blume                      Miller—2

Absent or not voting:

Carter	Edson	Graham	Leonard
Clark	Elliott	Hansen	Letts
Cole	Forsling	Hauge	Potts
Criswell	Frahm	Himebauch	Ramsey
Diltz	Garber of Floyd	Knutson	Ulstad
Donhowe	Gilbertson	Lake	Yenter—25
Doolittle			

The House concurred in the Senate amendments to House File No. 68-A.

#### CONSIDERATION OF BILLS

Senate File No. 55, a bill for an act to amend, revise, and codify sections eleven hundred seventy-nine (1179) to eleven hundred eighty-two (1182), inclusive, of the compiled code of Iowa, and section eleven hundred seventy-seven-a nine (1177-a9) of the supplement to said code, relating to the state board of conservation and state parks, with report of committee recommending passage, was taken up for consideration.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File No. 55 as follows:

Amend section three (3) by adding the following sentence: "If the donation be other than real estate and a particular specification for its use be made by the donor, no part of such donation shall be used or expended for any other purpose."

Amendment adopted.

Schirmer of Jackson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gibson	Miller	Schulte
Webster	Gilbert	Moen	Scott of
Berry	Gilmore	Napier	Appanoose
Blake	Grimwood	Natvig	Scott of Fremont
Blume	Hansen	O'Donnell	Slemmons
Bradley	Harrison	Oliver	Smith of
Brady	Hattendorf	Olson	Chickasaw
Brittain	Healy	Orr	Smith of Lucas
Buffington	Held	Parsons	Stock
Carter	Hempel	Patterson	Stookesberry
Children	Henderson	Peterson	Storey
Clark	Hollis	Powers	Strippel
Colbert	Huff	Quirk	Ulstad
Cole	Johnson	Rankin	Venard
Criswell	King	Rassler	Vincent
Dewar	Letts	Rhinehart	Wamstad
Dooley	Lichty	Robson	Weber
Doolittle	Lieberknecht	Rumley	Wilson
Dotts	Long	Rust	Wolfe
Fackler	McClune	Sampson	Mr. Speaker—83
Garber fo Adair	Mathews	Saunders	
Gesman	Matthiesen	Schirmer	

The nays were:

Noble—1

Absent or not voting:

Aiken	Forsling	Hauge	Ontjes
Diltz	Frahm	Himebauch	Potts
Donhowe	Gallagher	Knutson	Ramsey
Edge	Garber of Floyd	Lake	Rewoldt
Edson	Gilbertson	Leonard	Williams
Elliott	Graham	Lovrien	Yenter—24

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 197, a bill for an act to amend, revise, and codify sections fifty-two hundred one (5201), fifty-two hundred five (5205), fifty-two hundred twenty (5220) to fifty-two hundred twenty-two (5222), inclusive, of the compiled code of Iowa, relating to regulation of carriers, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Blake of Fayette the amendments proposed by the committee, found in the Journal of February 19th, were adopted.

Mr. Blake moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

## On the question "Shall the bill pass?"

The ayes were:

Aiken	Gesman	McClune	Schirmer
Anderson of	Gibson	Matthiesen	Schulte
Webster	Gilbert	Moen	Scott of
Berry	Gilbertson	Napier	Appanoose
Blake	Gilmore	Natvig	Scott of Fremont
Blume	Graham	Noble	Slemmons
Bradley	Grimwood	O'Donnell	Smith of
Brady	Hansen	Oliver	Chickasaw
Brittain	Harrison	Olson	Smith of Lucas
Buffington	Hattendorf	Ontjes	Stock
Children	Hauge	Orr	Stookesberry
Clark	Held	Parsons	Storey
Cole	Hempel	Peterson	Strippel
Criswell	Henderson	Powers	Ulstad
Dewar	Hollis	Quirk	Venard
Dooley	Huff	Rankin	Vincent
Doolittle	Johnson	Rassler	Wamstad
Dotts	King	Rhinehart	Weber
Elliott	Letts	Robson	Wilson
Fackler	Lichty	Rumley	Wolfe
Gallagher	Lieberknecht	Rust	Mr. Speaker—87
Garber of Adair	Long	Sampson	
Garber of Floyd	Lovrien	Saunders	

The nays were, none.

Absent or not voting:

Carter	Forsling	Lake	Potts
Colbert	Frahm	Leonard	Ramsey
Diltz	Healy	Mathews	Rewoldt
Donhowe	Himebauch	Miller	Williams
Edge	Knutson	Patterson	Yenter—21
Edson			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## SPECIAL ORDER NO. 1

House File No. 266, a bill for an act to amend, revise, and codify chapters six (6) and seven (7) of title twenty-eight (28) of the compiled code of Iowa, and of the supplement to said code, and sections seventy-four hundred eighty-three (7483), ninety-three hundred (9300), and ninety-four hundred twenty-one (9421) of the compiled code of Iowa, relating to jurors, with report of committee recommending passage, was taken up for further consideration.

By unanimous consent the amendment filed by Brittain of Madison on February 15th to the amendments filed by him on February 14th was withdrawn.

The following amendments filed by Clark of Linn, Doolittle of Delaware and Johnson of Dickinson to the amendments offered by Brittain of Madison on February 14th were taken up and considered:

Amend the amendments offered by Brittain of Madison to House File No. 266, as found in the House Journal of February 14th, as follows:

(1) Strike out the amendments to section 7 as amended, and insert in lieu thereof the following:

"Sec. 7. Appointment.

In all counties the clerk of the district court, the county auditor, and the county recorder shall *ex officio* constitute the jury commission to draw jurors, but shall receive no extra compensation as such. In each county having situated therein a city with a population of fourteen thousand (14,000) or more, the judge or judges of the district court of the judicial district in which said county is located shall, on or before October first of each year in which the general election is held, appoint three (3) competent electors as a jury commission to select and make lists of the names of persons to serve as grand and petit jurors and talesmen for the two (2) years beginning January first after such election".

(2) Amend the amendment to line 11 of section 17 by inserting in lieu of the words "last biennial election" the words "last general election".

(3) Amend the amendment to lines 5 and 6 of section 20 by striking out the words "last biennial election" and inserting in lieu thereof the words "last general election".

(4) Amend section 21-a1 by striking out of line 1 the words "an *ex officio*" and inserting in lieu thereof the words "no appointive jury"; also by striking out of line 5 of said section the word "drawn" and inserting in lieu thereof the word "selected".

(5) Amend section 21-a2 by striking out of line 1 thereof the words "an *ex officio*" and inserting in lieu thereof the words "no appointive".

(6) Amend the amendment to section 22 by inserting between the words "appointive" and "commission" in line 5 thereof the word "jury".

(7) Amend the amendment of line 5, section 24, by striking out the words "biennial election" and inserting in lieu thereof the words "general election".

On motion of Mr. Clark the amendments to the amendments were adopted.

On motion of Brittain of Madison the amendments proposed by him on February 14th, as amended, were adopted.

By unanimous consent the amendment filed by Johnson of Dickinson on February 16th was withdrawn.

By unanimous consent the amendment filed by Rankin of Lee on February 20th was withdrawn.

The following amendments filed by Clark of Linn, Doolittle of Delaware and Johnson of Dickinson were taken up and considered:

Amend House File No. 266 as follows:

(1) Amend section 16 of the bill by striking from line 10 thereof the words and figures "one-seventh ( $\frac{1}{7}$ )" and inserting in lieu thereof the words and figures "one-eighth ( $\frac{1}{8}$ )".

(2) Amend by inserting at the end of section 17, as subdivision 10, the following:

"10. Who was a judge or clerk at said election."

(3) Amend section 22 by inserting after line 21 thereof, as subdivision 10, the following:

"10. (In counties not having an appointive jury commission.) Who is a judge or clerk at this election".

(4) Amend section 57 by striking out of line 5 thereof the words "jury commissioners" and inserting in lieu thereof the words "appointive jury commissioners or ex officio jury commissioners as the case may be". Also amend by adding at the end of the section the following:

"If the ex officio commissioners are called upon to act they shall make up the lists in the same manner as such lists are required to be made by appointive commissioners."

On motion of Clark of Linn amendments Nos. 1, 2 and 3 were adopted.

On motion of Johnson of Dickinson amendment No. 4 was adopted.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Edge	Hattendorf	Moen
Webster	Elliott	Hempel	Napier
Blume	Fackler	Henderson	Natvig
Bradley	Forsling	Hollis	Noble
Brady	Gallagher	Huff	O'Donnell
Brittain	Garber of Adair	Johnson	Oliver
Buffington	Garber of Floyd	King	Olson
Children	Gibson	Lake	Ontjes
Clark	Gilbert	Letts	Parsons
Colbert	Gilbertson	Lichty	Patterson
Cole	Gilmore	Long	Peterson
Dewar	Grimwood	Lovrien	Potts
Dooley	Hansen	McClune	Powers
Doolittle	Harrison	Mathews	Quirk

Rankin	Schulte	Stock	Weber
Rassler	Scott of	Stookesberry,	Williams
Rhinehart	Appanoose	Storey	Wilson
Robson	Scott of Fremont	Strippel	Wolfe
Rust	Slemmons	Ulstad	Mr. Speaker—82
Sampson	Smith of	Venard	
Saunders	Chickasaw	Vincent	
Schirmer	Smith of Lucas	Wamstad	

The nays were:

Aiken	Criswell	Lieberknecht	Orr
Berry	Dotts	Matthiesen	Ramsey
Blake	Held	Miller	Rewoldt—13
Carter			

Absent or not voting:

Diltz	Gesman	Healy	Leonard
Donhowe	Graham	Himebauch	Rumley
Edson	Hauge	Knutson	Yenter—13
Frahm			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 265, a bill for an act to amend, revise, and codify sections ten hundred twenty-one (1021) and ten hundred twenty-two (1022) of the compiled code of Iowa, relating to railways and to offenses thereon, and to the right to remove intoxicated persons therefrom, with report of committee recommending passage, was taken up for consideration.

Aiken of Ida moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Dooley	Hattendorf	Miller
Anderson of	Doolittle	Healy	Moen
Webster	Dotts	Held	Napier
Berry	Edge	Hempel	Natvig
Blake	Elliott	Henderson	Noble
Blume	Fackler	Hollis	Oliver
Bradley	Forsling	Huff	Olson
Brady	Gallagher	Johnson	Ontjes
Brittain	Garber of Adair	King	Orr
Buffington	Garber of Floyd	Lake	Parsons
Carter	Gesman	Letts	Patterson
Children	Gibson	Lichty	Peterson
Clark	Gilbert	Lieberknecht	Powers
Colbert	Gilbertson	Long	Quirk
Cole	Gilmore	Lovrien	Ramsey
Criswell	Grimwood	Mathews	Rankin
Dewar	Hansen	Matthiesen	Rewoldt

Rhinehart	Schulte	Smith of Lucas	Vincent
Robson	Scott of	Stock	Weber
Rumley	Appanoose	Stookesberry	Williams
Rust	Scott of Fremont	Storey	Wilson
Sampson	Slemmons	Strippel	Wolfe
Saunders	Smith of	Ulstad	Mr. Speaker—92
Schirmer	Chickasaw	Venard	

The nays were, none.

Absent or not voting:

Diltz	Graham	Knutson	Potts
Donhowe	Harrison	Leonard	Rassler
Edson	Hauge	McClune	Wamstad
Frahm	Himebauch	O'Donnell	Yenter—16

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Forsling of Woodbury, the Senate amendment to the House amendments to Senate File No. 155, a bill for an act to amend, revise, and codify chapter five (5) of title thirteen (13) of the compiled code of Iowa and of the supplement to said code, and section forty-two hundred thirty-two (4232) of the compiled code of Iowa, and sections forty-two hundred ninety-seven-a one (4297-a1) to forty-two hundred ninety-seven-a nineteen (4297-a19), inclusive, of the supplement to said code, relating to municipal corporations, was taken up and the amendment read and considered.

#### SENATE AMENDMENT

Amend the House amendment to section 9 by inserting after the word "plan," in line 3 thereof the following: "the chief of the fire department shall be appointed from the civil service list, and".

Mr. Forsling moved that the House concur in the Senate amendment to the House amendments.

On the question "Shall the House concur?"

The ayes were:

Anderson of	Colbert	Forsling	Gilbertson
Webster	Cole	Gallagher	Gilmore
Bradley	Dewar	Garber of Adair	Grimwood
Brittain	Dooley	Garber of Floyd	Hansen
Buffington	Doolittle	Gesman	Hattendorff
Carter	Dotts	Gibson	Hauge
Clark	Fackler	Gilbert	Held

Hempel	Napier	Rumley	Stookesberry
Henderson	Natvig	Rust	Storey
Himebauch	Noble	Sampson	Strippel
Huff	O'Donnell	Saunders	Venard
Johnson	Oliver	Schirmer	Vincent
King	Parsons	Schulte	Wamstad
Lake	Patterson	Scott of	Weber
Letts	Peterson	Appanoose	Williams
Lichty	Powers	Scott of Fremont	Wilson
Lovrien	Quirk	Slemmons	Wolfe
Mathews	Rankin	Smith of	Mr. Speaker—78
Matthiesen	Rewoldt	Chickasaw	
Miller	Rhinehart	Smith of Lucas	
Moen	Robson	Stock	

The nays were:

Blume—1

Absent or not voting:

Aiken	Edge	Knutson	Potts
Berry	Edson	Leonard	Ramsey
Blake	Elliott	Lieberknecht	Rassler
Brady	Frahm	Long	Ulstad
Children	Graham	McClune	Yenter—29
Criswell	Harrison	Olson	
Diltz	Healy	Ontjes	
Donhowe	Hollis	Orr	

The House concurred in the Senate amendment to House amendments to Senate File No. 155.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on February 20th, approved the following bills: House Files Nos. 198, 128, 140, 40 and 26.

#### MOTION TO RECONSIDER CALLED UP

Forsling of Woodbury called up the motion filed on February 20th to reconsider the vote by which the Substitute for House File No. 178 passed the House.

On the question "Shall the House reconsider the vote by which Substitute for House File No. 178 passed the House?" rule 18 was invoked.

The ayes were:

Aiken	Brittain	Dooley	Graham
Anderson of Webster	Carter	Garber of Adair	Harrison
Berry	Children	Gesman	Hattendorf
Blume	Colbert	Gibson	Hauge
	Cole	Gilbertson	Hempel

Henderson	Miller	Patterson	Stookesberry
Huff	Napier	Peterson	Storey
Johnson	Natvig	Quirk	Ulstad
King	O'Donnell	Rewoldt	Wamstad
Lake	Oliver	Schulte	Wilson
Lieberknecht	Olson	Scott of Fremont	Wolfe
Mathews	Orr	Slemmons	Mr. Speaker—50
Matthiesen	Parsons	Smith of Lucas	

## The nays were:

Blake	Gallagher	Lovrien	Saunders
Bradley	Garber of Floyd	McClune	Schirmer
Brady	Gilbert	Moen	Scott of
Buffington	Gilmore	Noble	Appanoose
Clark	Grimwood	Ontjes	Smith of
Criswell	Hansen	Potts	Chickasaw
Dewar	Healy	Powers	Stock
Doolittle	Held	Rankin	Strippel
Dotts	Himebauch	Rhinehart	Venard
Edge	Hollis	Robson	Vincent
Elliott	Letts	Rumley	Weber
Fackler	Lichty	Rust	Williams—49
Forsling	Long	Sampson	

## Absent or not voting:

Diltz	Frahm	Leonard	Rassler
Donhowe	Knutson	Ramsey	Yenter—9
Edson			

The motion having failed to receive a constitutional majority, the House refused to reconsider the vote by which the Substitute for House File No. 178 passed the House.

## REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 212

Doolittle of Delaware, from the conference committee on House File No. 212, submitted the following report:

MR. SPEAKER: Your conference committee, to whom was referred the disagreement between the Senate and the House on House File No. 212, a bill for an act to amend, revise, and codify chapter seven (7) of title twenty-one (21), and chapters one (1) to six (6), inclusive, of title twenty-four (24) of the compiled code of Iowa, and of the supplement to said code, relating to certain special liens, begs leave to report that they have had same under consideration and submit the following report:

First, that the House concur in the Senate amendment to section twenty-seven (27).

Second, that the following substitute to the Senate amendment to section sixty-one (61) be adopted as follows:

Amend the bill by striking out section sixty-one (61).

CLYDE H. DOOLITTLE  
EARL W. VINCENT  
WM. E. G. SAUNDERS  
J. C. McCLUNE

*Conferees on part of the House.*

H. J. MANTZ  
G. S. HARTMAN  
A. T. BROOKINS

*Conferees on part of 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. 43, a bill for an act relating to health and safety appliances.

Also, that the Senate has amended and concurred in the House amendments to Senate File No. 41, a bill for an act relating to coal mines and mining.

Also, 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 acquisition of lands by the United States.

L. W. AINSWORTH, *Secretary.*

#### SENATE AMENDMENTS TO HOUSE FILE NO. 2

Amend by striking from lines three (3) and four (4) the words "the same for such uses and purposes" and inserting in lieu thereof the words "its holding".

Amend by striking from line six (6) the word "such" and inserting following the word "estate" the words "held by the United States".

Amend by striking from line ten (10) the words "so acquired and held", changing the period in line eleven (11) to a comma, and adding "while held by the United States".

#### SENATE AMENDMENTS TO HOUSE AMENDMENT TO SENATE FILE NO. 41

Amend the House amendment to section 18 by adding the following at the end of said House amendment:

"Also amend as follows:

By striking out the period (.) following the word "mine" at the end of section 18; inserting a semicolon (;) and the words 'but where five (5) or a less number of persons are employed, the mine inspector in the exercise of a sound discretion shall have the power to waive the requirements of this section'."

#### SENATE MESSAGE CONSIDERED

Senate File No. 43, a bill for an act to amend, revise, and codify sections eight hundred fifty-nine (859), eight hundred sixty-one (861), eight hundred sixty-two (862), and eight hundred eighty-three (883) of the compiled code of Iowa, and section eight hundred sixty (860) of the supplement to said code, relating to health and safety appliances and industrial accidents.

Read first and second times and referred to committee on labor.

#### WASHINGTON MEMORIAL SERVICES

Ontjes of Grundy moved that the House devote a short time to the observance of the birthday of George Washington.

Motion prevailed.

Remarks were made by Clark of Linn, Williams of Montgomery, Gallagher of Iowa and Doolittle of Delaware concerning the life, character and public service of the great American statesman and first president, George Washington.

On motion of Carter of Hardin the House adjourned until 10:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 23, 1924.

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

Prayer was offered by the Rev. Harry L. Heywood, pastor of the St. John A. M. E. church, Burlington, Iowa.

Journal of February 22d corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Carter of Hardin for the day, on request of Weber of Dubuque; Ontjes of Grundy for the day, on request of Lieberknecht of Louisa; Held of Plymouth for the day, on request of Lieberknecht of Louisa; Himebauch of Emmet indefinitely, on request of Wamstad of Mitchell; Clark of Linn for the day, on request of Maage of Polk; Donhowe of Story for the day, on request of Bradley of Poweshiek; Dötts of Wayne for the day, on request of Napier of Ringgold; Edson of Buena Vista for the day, on request of Rust of Franklin; Criswell of Boone for the day, on request of Rewoldt of Bremer; Harrison of Pottawattamie for the day, on request of Children of Pottawattamie; Long of Jefferson for the day, on request of Bradley of Poweshiek; Rassler of Pocahontas for the day, on request of Ulstad of Wright; Gilbert of Marshall for the day, on request of Rumley of Decatur; Elliott of Scott for the day, on request of Olson of Clinton.

## REPORTS OF COMMITTEES

Sampson of Audubon, from the committee on departmental affairs, submitted the following report:

MR. SPEAKER: Your committee on departmental affairs to whom was referred Senate File No. 9, a bill for an act to amend, revise, and codify sections one hundred forty-four (144), one hundred forty-six (146) to one hundred forty-nine (149), inclusive, one hundred fifty-one (151), one hundred fifty-three (153) to one hundred sixty (160), inclusive, of the compiled code of Iowa, and section one hundred fifty (150) of the supplement to said code, relating to appropriations and the drawing and expenditure thereof, and to certain powers and duties of the treasurer of state, and to the security of the 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, and when so amended the bill do pass:

Amend section one (1) by striking from the third line thereof the words "Des Moines, Iowa" and inserting in lieu thereof the words "the state".

F. C. SAMPSON, *Chairman.*

Report adopted.

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 294, a bill for an act to legalize the transfer of funds by the city council of the city of Oskaloosa, beg leave to report they have had 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. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 33, a bill for an act to amend, revise, and codify section 638 of the compiled code of Iowa, relating to the release of sureties on bonds required by 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 amended as follows, and when so amended the bill do pass:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

That section six hundred thirty-two (632) of the compiled code of Iowa is amended, revised and codified to read as follows:

Section 1. Release of sureties on bonds of public officers.

When any surety on the bond of a public officer desires to be relieved of his obligation, he may petition the approving officer or board for relief, stating the grounds therefor.

That section six hundred thirty-eight (638) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 2. Release of sureties on other bonds.

When the principal on the bond has been appointed by a judge or court or is under the jurisdiction of a court, the petition for release must be presented to said court and the release shall be made subject to the orders of said court. Sureties on other bonds required by law who desire to be released of their obligation may proceed in the manner required for release in case of bonds of public officers. The provisions of this section shall not apply to sureties on bonds given to secure the performance of contracts for public works, nor to sureties on appearance bonds in criminal cases.

### Sec. 3. Return of premium by surety.

When a surety is released as heretofore provided, he shall refund to the party entitled thereto the premium paid, if any, less a pro rata part thereof for the time said bond has been in force.

Amend the title by striking out the first line and inserting in lieu thereof the following: "an act to amend, revise, and codify sections six hundred thirty-two (632) and six hundred thirty-eight (638) of".

C. F. CLARK, *Chairman.*

Report adopted.

Ulstad of Wright, from the committee on labor, submitted the following report:

MR. SPEAKER: Your committee on labor to whom was referred House File No. 42, a bill for an act to amend, revise and codify chapter three (3) of title five (5) of the compiled code of Iowa, and sections eight hundred twenty-three-a one (823-a1), eight hundred thirty-two (832) and eight hundred forty-three (843) of the supplement to said code, relating to employers' liability and workmen's compensation, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

(1) Strike out the word "such" following the word "for" in line 4 of section 2 and insert in lieu thereof the word "an".

(2) Following the word "to" immediately following the word "employer" in line 2 of section 8, insert the words "furnish or to"; also after the word "law" in line 4 of said section insert the words ", rule, or regulation"; also strike out the word "furnish" and the comma (,) following the word "to" and before the word "keep" as the same appears in line 3 of said section 8; also strike out the comma (,) following the word "keep" in said line.

(3) Following the words "employment, or" in line 7, paragraph 1 of section 15, insert the words "the risks arising out of".

Following the word "work," as the same appears in line 8 of said paragraph of section 15, insert the words "or the risks arising out of the failure of the employer".

Following the word "or" after the word "appliances," in line 9 of said paragraph and section, insert the words "or the risks arising out of the failure of the employer".

Strike out the period following the word "business" at the end of line 10 of said paragraph 1 and insert in lieu thereof a comma (,) and insert the words "or on the ground that the employer exercised reasonable care in selecting competent employees in the business."

(4) Strike out all of that part of section 22 beginning with the words "if he shall first serve notice" in line 7, down to and including the word "ensue:" in line ten (10), and insert a period (.) after the word "damages" in line 7 and also insert the following words: "In such proceedings against such third party, the employee shall give his employer writ-

ten notice thereof with a copy of the original notice to be served in the manner as original notices with return thereon and filed with the papers in such case, but the failure to give such notice shall not prejudice the rights of the employer and in such proceedings the following rights shall ensue:".

(5) Strike out the words "with legal interest," as the same appear in line 14 of said section 22.

(6) Strike out the words and figures "ninety (90) days" as the same appear at the beginning of line 22 in paragraph 2 of said section 22 and insert in lieu thereof the words and figure "six (6) months".

(7) Strike out all of sub-paragraph (a) of said paragraph 2 of section 22, which sub-paragraph reads as follows: "A sum sufficient to pay the reasonable and necessary costs and expenses of the litigation, including a reasonable attorney's fee to be fixed by the court for the prosecution of the suit.", and reletter sub-paragraphs (b), (c) and (d) as (a), (b) and (c) respectively.

(8) Strike out the period following the word "liable" at the end of the last line in sub-paragraph (c) of paragraph 2 of section 22 in line 36 thereof and insert a comma (,) and also insert the following words: "but such sum thus found shall not be considered as a final adjudication of the future payments which the employee shall receive and the amount received by the employer, if any, in excess of that required to pay the compensation shall be refunded to the employee."

(9) Strike out all of paragraph 3 of section 22 beginning with line 38 and including all of line 41.

(10) Insert the words "or by depositing such notice in the mail addressed to the employer's last known or usual place of business" immediately after the word "cases" and before the period in line 2 of section 25.

(11) Strike out all of section 27 and insert in lieu thereof the following:

"When death ensues from the injury, the employer shall pay the reasonable expenses of burial of such employee, not to exceed two hundred dollars (\$200.00) which shall be in addition to compensation or any other benefit provided for in this chapter."

(12) Strike out the words "at the time of the accident" in line 5 of section 29.

(13) Insert the following as additional to section 29:

"Compensation payments shall be made each week beginning on the twenty-second (22) day after the injury, and each week thereafter during the period for which compensation is payable, and if not paid when due, there shall be added to such weekly compensation payments, interest at six per cent (6%) from date of maturity.

Where the employer or his representative has notice or knowledge of an employee's disability or death resulting from an injury arising out of and in the course of the employment, and without reasonable cause therefor, such employer or his insurer, fails, neglects or refuses for thirty (30) days to pay compensation as the same becomes due, twenty-five per

centum (25%) shall be added to such delinquent payments, to be enforced as compensation claims are collected. And in such case, if proceedings are had before a board of arbitration or the industrial commissioner, a reasonable attorney's fee in favor of the claimant's attorney shall be taxed as part of the costs; but in case of appeal, taken in good faith, such thirty (30) day period shall begin from the date of the final order, judgment or decree."

(14) Strike out the words "for support" as the same appear in line 3 of section 30.

(15) Strike out all of paragraph 3 of section 30 of the bill and insert in lieu thereof the following:

"3. If the employee leaves dependents only partially dependent upon his earnings at the time of the injury, the weekly compensation to be paid to each partial dependent shall be that portion of what the weekly compensation would be for total dependency as his or her partial dependency bears to total dependency, but in no case shall the aggregate of the weekly compensation of all partial dependents exceed what the compensation would be for total dependency."

(16) Strike out the words "partial permanent" as found in line 1 of section 31 and insert in lieu thereof the words "permanent partial".

(17) Strike out the words "as follows" as the same appear at the end of line 1 and the beginning of line 2 of section 34 and insert in lieu thereof the following: "based upon the extent of such disability and for all cases of permanent partial disability included in the following schedule, compensation shall be paid as follows:".

(18) Strike out the words "of the time last above specified" as the same appear at the end of line 15, paragraph 6, of section 34, and insert in lieu thereof the words "of the time for the loss of such thumb or finger".

(19) Insert the words "or distal" immediately following the word "first" and before the word "phalange" as the same appear in line 13 in paragraph 6 of said section 34.

(20) Strike out the words "last above specified" as the same appear at the end of line 24 in paragraph 10 of section 34 and insert in lieu thereof the words "provided for the loss of such toe".

(21) Strike out the words "a second or last" as the same appear in line 41, paragraph 17 of section 34 and insert in lieu thereof the word "an".

(22) Also strike out the words "resulting in the loss of the second eye" as the same appear in line 42 of paragraph 17 of said section 34.

(23) Strike out all of paragraph eighteen (18), section 34, and insert in lieu thereof the following:

"18. For the loss of hearing in one ear, weekly compensation during fifty weeks and for the loss of hearing in both ears, weekly compensation during one hundred fifty weeks."

(24) Following the word "earnings" as the same appears at the end

of line 10, paragraph 3 of section 35, insert the words "in such computation".

(25) Strike out the word "other" as the same appears before the word "donations" in line 5 of section 36 and immediately following the word "donations" insert the words "from any source".

(26) Insert the words "or physicians" following the word "physician" as found in line 6 of section 37.

(27) Strike out the words "the commissioner" as the same appear in line 5 of section 39 and insert in lieu thereof the words "the party in interest".

(28) Strike out the words "and paid into the state treasury" as the same appear at the end of line 6 of said section 39.

(29) Strike out sub-paragraph (b) of paragraph one (1) of section 40 and substitute the following in lieu thereof:

"(b) When the surviving spouse was not married to the deceased at the time of the injury."

(30) Insert the words "as of the date of the injury" immediately following the word "facts" in line 2 of section 42.

(31) Strike out the semicolon (;) following the words "aggregate dependency" as the same appear in line 7 of section 42, and insert a period (.) in lieu thereof and strike out the remainder of the section.

(32) Insert the words "with reasonable certainty" immediately following the word "determined" as the same appears in line 4 of section 43.

(33) Strike out the word "so" as the same appears following the word "payments" in line 10, paragraph 3 of section 43, and insert in lieu thereof the word "as".

(34) Strike out the words "and shall have indorsed thereon" as the same appear in line 3 of section 44 and insert in lieu thereof the word "with".

(35) Also insert the word "written" following the word "the" before the word "approval" as the same appears in line 3 of said section 44.

(36) Insert the words "in term time or vacation" following the word "judge" as the same appears in line 7 of section 44 and insert the words "in whole or in part" after the word "commutation" as the same appears in line 9 of said section 44.

(37) After the word "presented." as the same appears at the end of line 10 of said section 44 insert the following:

"In any case parties in interest may agree in writing to waive presenting the petition for commutation to the district court and in such case, if the application is approved by the industrial commissioner, governed by the law applicable to the district court, he may enter an order for commutation which shall have the same force and effect as if made by the district court with the right upon the part of either party to file a certified copy thereof in the district court as provided for an award."

(38) Following the word "death," as the same appears in line 5 of section 51 insert the words "and in such case the appointee shall be re-

garded as a special trustee for the beneficiaries,"; also insert the words "administrator and trustee" following the words "as such" at the beginning of line 6, section 51.

(39) Strike out the word "chapter" following the words "in this" in line 1 of section 61 and insert the words and figures "and chapters four (4) and five (5)".

(40) Strike out the word "or" as the same appears in line 13 following the word "casual," in sub-paragraph (a) of paragraph 2-a1, section 61 of the bill, and insert in lieu thereof the word "and".

(41) Strike out the word "and" as the same appears immediately after the word "arrest," in line 24, paragraph (d) of paragraph 2-a1, section 61, and insert in lieu thereof the word "or".

(42) Following the word "person" at the end of sub-paragraph (d) of paragraph 2-a1 of section 61 and at the end of line 26 of said section insert the following: "or while performing such official duties where there is peril and hazard peculiar to the work of the office and in such case such injured officer or dependents, as the case may be, shall be entitled to compensation and paid out of the general funds of the state for all of such injuries or disabilities and such compensation shall be based on the maximum allowed and designated in the schedule of compensation for injuries and death allowable under chapter three (3) of this act."

(43) Strike out the word "or" following the word "guardian" as the same appears in line 32 of paragraph 3 of section 61 and insert a comma (,) in lieu thereof and also insert the words "or trustee" immediately following the word "friend" at the end of said line 32.

(44) Strike out all of sub-paragraph (b) of paragraph 4 of section 61 as the same appears in lines 36, 37 and 38 of the bill and insert in lieu thereof the following:

"(b) They shall not include injury caused by the wilful act of a third person directed against an employee for reasons personal to such employee or because of his employment."

(45) Strike out the word "the" immediately before the word "injury" as the same appears in line 40, sub-paragraph (c) of paragraph 4 of section 61 of the bill.

(46) Strike out the word "chapter" as the same appears in the first line of paragraph 6, being line 48 of section 61, and insert in lieu thereof the words and figures "and chapters four (4) and five (5)".

(47) Following the word "deputy" as the same appears in line 1, section 63, insert the words "and secretary".

(48) Strike out the words "The deputy, in the absence or disability of the industrial commissioner or in cooperation with him," as the same appear in lines 1 and 2 of section 64 and insert in lieu thereof the following: "In the absence or disability of the industrial commissioner or when acting under the directions of the commissioner, the deputy".

(49) Add the following as an additional paragraph and as paragraph 6 to section 70:

"6. The district court is hereby empowered to enforce by proper pro-

ceedings the provisions of this chapter relating to the attendance and testimony of witnesses and the examination of books and records."

(50) Strike out the word "chapter" as the same appears in line 8 of section 75 and insert in lieu thereof the words and figures "and chapters three (3) and five (5)".

(51) Strike out the words "If the employer and injured employee or his representatives or dependents fail to reach an agreement in regard to compensation, either party may notify the industrial commissioner, who shall thereupon in writing notify the parties to form a board of arbitration," as the same appear in lines 1, 2, 3 and 4 of section 76 and insert in lieu thereof the following: "If the employer and injured employee or his representatives or dependents fail to reach an agreement in regard to compensation, either party may file a petition and copy thereof with the industrial commissioner stating therein his or her claims in general terms and asking that a board of arbitration be formed. Thereupon the commissioner shall in writing notify the parties to name their respective members of such board."

(52) Strike out all of section 77 reading as follows: "If either party fails to appoint an arbitrator by the time fixed for hearing, the commissioner shall appoint one for such defaulting party.", and insert in lieu thereof the following:

"If either party fails to appoint an arbitrator by the time fixed for hearing by the commissioner, such defaulting party shall be deemed to have waived the right to appoint an arbitrator and hearing shall proceed without such appointment. Parties may, in writing filed with the commissioner, waive the appointment of arbitrators and in such case the hearing shall proceed before the commissioner or his deputy with the same force and effect as if tried before a board with respective representatives."

(53) Strike out all of section 82 and insert in lieu thereof the following:

Sec. 82. The reporter shall be paid a reasonable amount for services rendered and expenses incurred in attending the hearing, as fixed and allowed by the commissioner, which shall be taxed as costs in the case.

(54) Strike from section 84 the words "The district court is hereby empowered to enforce by proper proceedings the provisions of this chapter relating to the attendance and testimony of witnesses and the examination of books and records." as the same appear in lines 11, 12, 13 and 14.

(55) Insert the words "or certificate" immediately before the word "of" and following the word "statement" as the same appears in line 2 of section 85.

(56) Strike out the word and figure "five (5)" as the same appear in line 2 of section 86 and insert in lieu thereof the word and figures "ten (10)".

(57) Insert the word "may" immediately following the word "and" and before the word "hear" in line 8 of section 86.

(58) Amend section 86 by adding at the end of said section the following:

"Additional evidence to that presented and admitted in arbitration proceedings shall not be introduced by either party unless such party gives the opposite party, or his attorney, five (5) days' notice thereof in writing, stating the particular phase of the controverted claim to which such additional evidence will apply."

(59) Strike out the words "on all fact issues before him" as the same appear in paragraph 1, line 3 of section 87, and insert in lieu thereof the words "and conclusions of law".

(60) Strike out all of paragraph 2 of section 87 which reads as follows:

"2. Conclusions of law on all legal questions raised on review."

(61) Insert the words "or certificate" immediately following the words "a transcript" as the same appear at the beginning of line 5, section 89, and also insert the words "if reported," immediately following the word "evidence," as the same appears in line 5 of said section 89.

(62) Strike out the word "appeal" following the word "compensation" as the same appears in line 2 of section 94.

(63) Strike out the word "forthwith" as the same appears at the beginning of line 5 of section 97.

(64) Strike out all of section 100.

(65) Insert the words "before the industrial commissioner" immediately before the word "under" at the beginning of line 2 of section 102.

(66) Following the word "commissioner." at the end of line 5 of section 102 insert the following: "For services rendered in the district court and supreme court, the attorney's fee shall be subject to the approval of a judge of the district court."

(67) Strike out the words and figures "ten dollars (\$10.00)" as the same appear at the beginning of line 3 of section 103 and insert in lieu thereof the words and figures "five dollars (\$5.00)".

(68) Insert the word "taxed" immediately following the words "shall be" as the same appear in line 8 of section 103.

(69) Amend section 105 by striking therefrom the last sentence.

(70) Insert immediately after section 105 the following section:

"Sec. 105-a1. Upon the presentation to the court of a certified copy of a decision of the industrial commissioner, ending, diminishing, or increasing the compensation under the provisions of this chapter, the court shall revoke or modify the decree or judgment to conform to such decision."

(71) Immediately following the word "him" as the same appears at the end of line 5 in section 106, insert a comma (,) and the following: "but such satisfaction shall be without prejudice to the rights of either party for a review as provided in this chapter in cases where the compensation has not been commuted to a lump sum settlement."

(72) Strike out the words "the preceding section" as the same appear in lines 7 and 8, section 110, and insert in lieu thereof the words "this chapter".

(73) Strike out the words "due and" as the same appear at the beginning of line 5 of section 114.

(74) Strike out the words "between any employer and the insurer," as the same appear in line 3 of section 116, and also strike out the word "and" following the word "to" at the beginning of line 4 of section 116 and insert in lieu thereof the word "or".

(75) Insert the words "or insurer" immediately following the words "of the insured" at the beginning of line 5 of section 116, and also insert the words "insured and" immediately following the words "on the part of the" and immediately before the word "insurer" as the same appears at the end of line 5 of said section 116.

(76) Strike out the word and figures "twenty (20)" as the same appear at the beginning of line 4 of section 120 and insert in lieu thereof the word and figures "sixty (60)".

(77) Following the word "damages." at the end of line 5 of section 120, insert the following: "If such injured employee or one having the right to elect for him, fails to make an election within sixty (60) days, then and in that event it shall be conclusively presumed that the employee elected to accept compensation according to the schedule of compensation as provided in chapter three (3)."

(78) Insert the word "thereof" following the word "notice" and immediately before the word "in" as the same appear in line 3 of section 121.

OSCAR ULSTAD, *Chairman.*

Report adopted.

#### REPORT OF CONFERENCE COMMITTEE CONSIDERED

The report of the conference committee on House File No. 212, found in the House Journal of February 22d, was taken up and considered.

Doolittle of Delaware moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of	Blume	Buffington	Dooley
Webster	Bradley	Colbert	Doolittle
Berry	Brady	Cole	Edge
Blake	Brittain	Dewar	Fackler

Garber of Floyd	Leonard	Parsons	Slemmons
Gibson	Letts	Patterson	Smith of
Gilbertson	Lichty	Peterson	Chickasaw
Gilmore	Lieberknecht	Potts	Smith of Lucas
Graham	Lovrien	Powers	Stock
Grimwood	McClune	Quirk	Stookesberry
Hattendorf	Mathews	Rankin	Storey
Hauge	Matthiesen	Robson	Strippel
Healy	Miller	Rust	Venard
Hempel	Moen	Sampson	Vincent
Henderson	Napier	Saunders	Wamstad
Hollis	Natvig	Schirmer	Weber
Huff	Noble	Schulte	Williams
Johnson	O'Donnell	Scott of	Wilson
King	Oliver	Appanoose	Wolfe
Lake	Orr	Scott of Fremont	Mr. Speaker—77

The nays were, none.

Absent or not voting:

Aiken	Edson	Hansen	Ramsey
Carter	Elliott	Harrison	Rassler
Children	Forsling	Held	Rewoldt
Clark	Frahm	Himebauch	Rhinehart
Criswell	Gallagher	Knutson	Rumley
Diltz	Garber of Adair	Long	Ulstad
Donhowe	Gesman	Olson	Yenter—31
Dotts	Gilbert	Ontjes	

The report of the conference committee and the amendments proposed by said conference committee to House File No. 212 were adopted.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Slemmons of Buchanan, House File No. 2, a bill for an act to amend, revise, and codify sections four (4) to eight (8), inclusive, and forty-nine hundred sixty-two (4962) of the compiled code of Iowa, relating to the acquisition by the United States of lands in this state, with Senate amendments, found in the House Journal of February 22d, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Aiken	Blume	Buffington	Dooley
Anderson of	Bradley	Colbert	Doolittle
Webster	Brady	Cole	Edge
Berry	Brittain	Dewar	Fackler

Forsling	Leonard	Patterson	Smith of
Gallagher	Letts	Peterson	Chickasaw
Garber of Floyd	Lichty	Potts	Smith of Lucas
Gesman	Lieberknecht	Powers	Stock
Gibson	Lovrien	Quirk	Stookesberry
Gilbertson	McClune	Rankin	Storey
Gilmore	Mathews	Rewoldt	Ulstad
Grimwood	Matthiesen	Robson	Venard
Hattendorf	Miller	Rumley	Wamstad
Hauge	Moen	Rust	Weber
Healy	Napier	Saunders	Williams
Hempel	Natvig	Schirmer	Wilson
Henderson	Noble	Schulte	Wolfe
Hollis	O'Donnell	Scott of	Mr. Speaker—78
Huff	Oliver	Appanoose	
Johnson	Orr	Scott of Fremont	
King	Parsons	Slemmons	

The nays were, none.

Absent or not voting:

Blake	Edson	Held	Rassler
Carter	Elliott	Himebauch	Rhinehart
Children	Frahm	Knutson	Sampson
Clark	Garber of Adair	Lake	Strippel
Criswell	Gilbert	Long	Vincent
Diltz	Graham	Olson	Yenter—30
Donhowe	Hansen	Ontjes	
Dotts	Harrison	Ramsey	

The House concurred in the Senate amendments to House File No. 2.

On request of Berry of Monroe, the Senate amendment to the House amendments to Senate File No. 41, a bill for an act to amend, revise, and codify chapter one (1) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to coal mines, and mining, was taken up and the amendment read and considered.

#### SENATE AMENDMENT

Amend the House amendment to section 18 by adding the following at the end of said House amendment:

"Also amend as follows:

By striking out the period (.) following the word "mine" at the end of section 18; inserting a semicolon (;) and the words 'but where five (5) or a less number of persons are employed, the mine inspector in the exercise of a sound discretion shall have the power to waive the requirements of this section'."

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

## On the question "Shall the House concur?"

The ayes were:

Aiken	Gesman	Miller	Schulte
Anderson of	Gibson	Moen	Scott of
Webster	Gilbertson	Napier	Appanoose
Berry	Grimwood	Natvig	Scott of Fremont
Blume	Hattendorf	O'Donnell	Slemmons
Brady	Healy	Oliver	Smith of
Brittain	Hempel	Orr	Chickasaw
Buffington	Henderson	Parsons	Smith of Lucas
Children	Hollis	Patterson	Stock
Colbert	Huff	Peterson	Stookesberry
Cole	Johnson	Potts	Storey
Dewar	King	Powers	Strippel
Dooley	Leonard	Quirk	Ulstad
Doolittle	Letts	Rankin	Venard
Edge	Lichty	Rewoldt	Wamstad
Fackler	Lieberknecht	Robson	Weber
Forsling	Lovrien	Rumley	Williams
Gallagher	McClune	Rust	Wilson
Garber of Adair	Mathews	Saunders	Wolfe
Garber of Floyd	Matthiesen	Schirmer	Mr. Speaker—77

The nays were, none.

Absent or not voting:

Blake	Edson	Hauge	Ontjes
Bradley	Elliott	Held	Ramsey
Carter	Frahm	Himebauch	Rassler
Clark	Gilbert	Knutson	Rhinehart
Criswell	Gilmore	Lake	Sampson
Diltz	Graham	Long	Vincent
Donhowe	Hansen	Noble	Yenter—31
Dotts	Harrison	Olson	

The House concurred in the Senate amendment to the House amendments to Senate File No. 41.

## INTRODUCTION OF BILL

By unanimous consent the following bill was introduced:

House File No. 295, by Hauge of Polk, a bill for an act creating a county board for the appointment of local budget committees, and creating local budget committees, in counties having a population of one hundred twenty-five thousand (125,000) or over, defining the powers and duties of such committees; providing for state supervision of the same by the state budget board; and providing penalties for a violation of the provisions thereof.

Read first and second times and referred to the special budget committee of nine.

## RESOLUTION

Clark of Linn offered the following resolution:

*Be It Resolved by the House,* That all committees in whose hands remain bills not yet acted upon, be and they are hereby directed to give consideration to all bills regardless of what number they bear, and make report on the same at the earliest possible moment.

*Be It Further Resolved,* That all bills heretofore reported, and to be reported in the future, take their place on the calendar regardless of whether they be even or odd numbered bills.

Laid over under rule 34.

## CONSIDERATION OF BILL

Senate File No. 257, a bill for an act to amend, revise, and codify chapter seven-A (7-A) and chapter seven-B (7-B) of title five (5) of the supplement to the compiled code of Iowa, relating to cigarettes, cigarette papers, wrappers, and tubes and to the sale and advertisement of tobacco, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Rankin of Lee the amendments proposed by the committee, found in the Journal of February 21st, were adopted.

Mr. Rankin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Gibson Gilbertson	Matthiesen Moen	Scott of Appanoose
Berry	Gilmore	Napier	Slemmons
Blake	Graham	Natvig	Smith of Chickasaw
Blume	Grimwood	Noble	Smith of Lucas
Bradley	Hattendorf	Orr	Stookesberry
Brady	Healy	Parsons	Storey
Brittain	Hempel	Peterson	Strippel
Buffington	Henderson	Potts	Ulstad
Colbert	Hollis	Powers	Venard
Dewar	Huff	Quirk	Vincent
Dooley	Johnson	Ramsey	Wamstad
Doolittle	King	Rankin	Weber
Edge	Leonard	Rewoldt	Williams
Fackler	Letts	Robson	Wilson
Forsling	Lichty	Rumley	Wolfe
Gallagher	Lieberknecht	Rust	Mr. Speaker—74
Garber of Adair	Lovrien	Sampson	
Garber of Floyd	McClune	Saunders	
Gesman	Mathews		

The nays were:

Children	Oliver	Schulte	Stock—7
Miller	Patterson	Scott of Fremont	

Absent or not voting:

Aiken	Dotts	Hauge	Olson
Carter	Edson	Held	Ontjes
Clark	Elliott	Himebauch	Rassler
Cole	Frahm	Knutson	Rhinehart
Criswell	Gilbert	Lake	Schirmer
Diltz	Hansen	Long	Yenter—27
Donhowe	Harrison	O'Donnell	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### AMENDMENTS FILED.

Wamstad of Mitchell filed the following amendments to House File No. 211:

(1) Amend House File No. 211 by adding after the word "sections" and before the word "sixty-two" in the first line of said bill after the enacting clause the following: "sixty-two hundred five (6205), sixty-two hundred six (6206)."

(2) Amend section one (1) of said bill by striking out all that part of section one (1) following the word "corporation" in line two (2) and inserting in lieu thereof the following: "engaged in the production, manufacture, sale, distribution, storage, consigning, handling, purchasing or transporting any commodity or article of commerce, including grain:"

(3) Amend said bill further by adding after paragraph five (5) of section one (1) the following:

"6. To discriminate between different sections, localities, communities, cities or towns in the state by purchasing any commodity at a higher rate or price, or selling any commodity at a lower rate or price in one section, locality, community, city or town than is received by such party, in case of sale, or paid by such party, in case of purchase, for such commodity in another section, locality, community, city or town after making due allowance for the difference, if any, in the grade or quality and in the actual cost of transportation between the points of production or purchase, if a raw product, or between the points of manufacture and sale, distribution or storage, for the purpose of destroying the business of a competitor in any locality or creating a monopoly in such commodity."

(4) Amend said bill further by adding thereto the following:

"Sec. 5. Cooperative associations exempt.

Nothing in this act shall be construed as affecting cooperative associations organized under the provisions of law as they appear in chapter three (3) of title seventeen (XVII) of the compiled code or any acts amendatory thereof while said associations are operating as provided in said chapter and acts amendatory thereof."

(5) Further amend said bill by adding thereto the following:

"Sec. 6. Investigations—railroad commission authorized to make.

The board of railroad commissioners shall have the power on its own motion, and shall, at the direction of the governor, or upon the application of the attorney general, or the commerce counsel, make full and complete investigations of all persons, firms, associations, organizations, or corporations engaged in the business of producing, manufacturing, distributing or selling any article of commerce for the purpose of determining whether or not any such persons, firms, associations, organizations, or corporations are, either directly or indirectly, violating any of the provisions of law relative to unfair discriminations, combinations, pools, trusts or other organizations which are in restraint of trade, or unlawfully engaged in unfair trade practices, or are unlawfully discriminating as to price, quality or time and place of delivery, or are unlawfully seeking to control the production, distribution, sale or price of any article of commerce.

Sec. 7. Procedure and evidence.

In conducting investigations under this act the same rules of procedure and evidence shall be followed as is now provided by law for hearings before the board of railroad commissioners in railroad rate hearings, except as such rules are herein modified or otherwise expressly provided, and in making such investigations, the board is vested with full and complete authority to subpoena witnesses, require their attendance, administer oaths or affirmations, require the production of books, documents and letters and make full record of its proceedings, and it may, by written order, direct the furnishing in writing under oath of such facts, statements and reports as to the board may seem necessary for its use in making such investigations and inquiries.

Sec. 8. Disobedience of orders—contempt.

Refusal to obey any writ, subpoena or order of the board or to testify under oath or affirmation, shall constitute contempt and in such event the board may certify to the district court of the county in which such disobedience shall occur, or to the district court of Polk county, the fact of such disobedience and thereupon the district court shall proceed to hear and determine the matter and to punish for contempt to the same extent as though such refusal, failure or disobedience was in such court, and any party found guilty of contempt may be fined not to exceed one thousand dollars (\$1000.00), or be imprisoned for failure to pay such fine.

Sec. 9. Intervention—aid by state employees.

In any proceeding instituted before the board or initiated by the board, any person, organization, or association interested in the matter under investigation may intervene, and for the purpose of making its investigation, the board or the governor, attorney general or commerce counsel may call in any person in the employ of the state, or any subdivision thereof, having peculiar knowledge of the matter under investigation for the purpose of aiding in making such investigation.

Sec. 10. Witnesses—immunity.

No witness shall be privileged from testifying to any matter in any pro-

ceedings before the board or in any court on questions arising under this act, or from producing any books, papers, letters, or documents on the ground that the same might or may tend to render such witness criminally liable, but such witness shall not be prosecuted for any offense whatever growing out of or connected with the matters and things so testified to or produced by him except that such witness shall not be exempt from prosecution for perjury committed in so testifying.

#### Sec. 11. Findings—orders.

The board shall have power to make findings of fact and in any case in which an investigation is made by the board where it appears to the satisfaction of such board, either by the testimony of witnesses or other competent evidence, that there has been a violation of the laws of this state relating to unfair discrimination, combinations, pools, trusts or organizations in restraint of trade or that any unlawful combination, organization or agreement exists for the purpose of controlling the price, time or place of delivery or the production, manufacture, distribution or sale of any article of commerce, the board shall forthwith make an order that the person, firm, association, organization, or corporation found to have violated the law shall cease from such violation and discontinue such illegal practices and where it is found that an organization is maintained between different persons, firms, associations, organizations, or corporations engaged in the same or related lines of industry for the purpose of controlling the price, time of delivery, production, manufacture, distribution or sale of any articles of commerce, the board shall make an order dissolving such organization. Where an order is made by the board, as in this section provided, it shall cause a copy of its findings and orders in respect to such matter to be delivered to the person, firm, association, organization, or corporation against whom the order is issued, which order shall be notice to such person, firm, association, organization, or corporation of the action of the board and the board in making its order shall fix the time within which its order shall be complied with. When it shall appear to the board that its orders have been fully complied with by the person, firm, association, organization, or corporation against whom the order was issued, a proper entry may be made by the board disposing of such case.

#### Sec. 12. Rule of evidence—prima facie evidence of violation.

In any proceeding under this act, proof that membership in any trade association, or organization is made up of persons, firms, associations, or corporations, or their representatives, engaged in the production, manufacture, sale or distribution of the same or related articles of commerce and that there is an exchange among the members of such association or organization of statistics regarding manufacturing, production and marketing of such products and further proof that practically uniform prices, methods of marketing and discounts are used by all persons, firms, associations, or corporations having membership in such trade association or organization shall be prima facie evidence of an unlawful combination.

#### Sec. 13. Appeal to supreme court—rules of submission.

Any person, firm, association, organization, or corporation against whom an order has been issued under the provisions of section six hereof may

appeal from such order within thirty days from the rendition of the same direct to the supreme court of the state, and in case such appeal is taken the matter shall be triable de novo in the supreme court upon printed abstracts of the record, the original exhibits, and briefs and arguments filed as in other proceedings before such court. Such matter shall stand for trial under the same rules as to time of submission as criminal causes and certiorari proceedings.

Sec. 14. Certification of record.

Within thirty days after the service of a notice of appeal in any case, the board shall certify to the supreme court all papers, notices, depositions and exhibits introduced or offered in evidence and any other papers filed in the case. The board shall cause to be prepared as speedily as possible a translation of the shorthand reporter's notes of evidence taken and proceedings had which were taken down in shorthand at the hearing, such transcript to be for the use of either party to the proceeding in perfecting their appeal.

Sec. 15. Additional and supplemental orders.

The board shall have authority at any time except where an appeal is taken and perfected to the supreme court to reopen any case and to make any additional or supplemental orders that in its judgment may be necessary and proper in the premises. In any appealed case, the board shall not make any additional or supplemental orders between the time of the service of notice of appeal and the disposition of the case in the supreme court except such orders as may be necessary to correct its records for the purposes of the appeal. Where an appeal is perfected and the cause is determined by the supreme court the board shall have no power to make any additional or supplemental orders affecting the subject matter involved in the cause determined by the supreme court, but if the appeal is not perfected or the cause is dismissed in the supreme court, the board may make any additional or supplemental order in such case the same as though no appeal had been taken from its original action.

Sec. 16. Enforcement of orders by district court—penalties.

Whenever any person, firm, association, organization, or corporation as defined in this act shall violate or refuse or neglect to obey any order or requirement of the board, in addition to contempt proceedings herein provided, the board may apply in a summary way by petition to the district court of any county in this state in which such person, firm, association, organization, or corporation complained of has its principal office, or in any county in which it transacts any business, or in which the violation or disobedience of such order or requirements shall happen alleging such violation or disobedience, as the case may be; and the said court shall have power to hear and determine the matter on such short notice as to the court may seem reasonable, and such notice may be served on such person, firm, association, organization, or corporation, his or its officers, agents or servants as the court may direct; and said court shall proceed to hear and determine the matter speedily as a court of equity and without the formal pleadings and proceedings applicable to ordinary court suits in equity, but in such manner as to do justice in the premises; and, to this end, such court shall have power, to direct and prosecute, in such mode and

by such persons as it may appoint, all such inquiries as the court may think needful to enable it to form a just judgment of such petition, and on such hearing the findings and report of the board shall be prima facie evidence of the matter therein, or in any order or finding made by them; and if it shall be made to appear to such court on such hearing or on the report of any such person or persons, that the order or requirement of the board in question has been violated or disobeyed, it shall be lawful for such court to issue a writ of injunction or other proper process, mandatory or otherwise, to restrain such person, firm, association, organization, or corporation from further continuing such violation or disobedience of such order or requirement of the board and enjoining obedience to the same, and in case of any disobedience of any writ of injunction or other proper process, mandatory or otherwise, it shall be lawful for such court to issue a writ of attachment or any other process of said court incident or applicable to writs of injunction or other proper process, mandatory or otherwise, against such person, firm, association, organization, or corporation, or the directors, officers or agents of same, or against any owner, lessee, receiver or any other person failing to obey such writ of injunction or other proper process, mandatory or otherwise; and said court may, if it think fit, make an order directing such person, firm, association, organization, or corporation so disobeying such writ of injunction or other proper process, mandatory or otherwise, to pay any sum of money, not exceeding for each person, firm, association, organization, or corporation in default, the sum of one thousand dollars (\$1000.00) for each day after a day to be named in such order that such person, firm, association, organization, or corporation shall fail to obey such injunction or other proper process, mandatory or otherwise, and such moneys shall, upon order of the court, be paid into the treasury of the county in which the action was commenced and one-half thereof shall be transferred by the county treasurer to the state treasurer and the payment thereof may, without prejudice to any other mode of recovering the same, be enforced by attachment, execution or order in like manner as if same had been recovered by a final decree in personam or in rem in such court, saving to the board or any other person interested the right of appeal to the supreme court of the state under the same regulations now provided by law in relation to appeals to said court as to security for such appeal, except that in no case shall security for such appeal be required when the same is taken by the board; but no appeal to said supreme court shall operate to stay or supersede the order of the court or the execution of any writ or process thereon; and such court may in every such matter order the payment of such costs and attorney and counsel fees as shall be deemed reasonable.

Sec. 17. Appearance of attorney general and commerce counsel—duty of county attorney—costs.

Whenever any such petition shall be filed or presented or proceeding initiated by the board, or by their direction, it shall be the duty of the attorney general of the state and the commerce counsel of the state to appear for the same, and in such appearance they shall have the right to have the assistance of the county attorney of any county in which any proceedings are instituted, and it is hereby made the duty of any such county attorney to render such assistance. The costs and expenses, on the

part of the board, of any such proceeding shall be paid out of the appropriations for court costs under the direction of the executive council.

**Sec. 18. Appearance in hearings.**

In all hearings before the board, the attorney general and the commerce counsel shall appear for the state, for the board or the governor, as the case may be.

**Sec. 19. Additional remedies.**

In addition to the remedies hereinbefore provided, any district court having jurisdiction may, upon a showing that any person, firm, association, organization, or corporation engaged in the production, manufacture, distribution or sale of any article of commerce, is violating any of the provisions of law relative to unfair discrimination in purchases and sales, combinations, pools, trusts or other organizations which are in restraint of trade or engaged in unfair trade practices, issue a writ of injunction, mandatory or otherwise, requiring such person, firm, association, organization, or corporation to desist from such illegal practice and to cease from a violation of the law governing such matters, upon hearing after notice shall have been given as ordered by the court. In all such actions where the state is a party, it shall be the duty of the county attorney of the county in which the proceeding is instituted to appear for the state, and the attorney general may appear upon his own motion and shall appear when requested to do so by the governor."

Amend the title to said bill by inserting after the word "sections" and before the word "sixty-two" in line one (1) of said title the following: "sixty-two hundred five (6205), sixty-two hundred six (6206)," and by inserting after the word "to" and before the word "unlawful" in line four (4) the following: "unfair discrimination," and by striking out the period (.) at the end of the title and inserting in lieu thereof a semicolon (;) and adding thereto the following: "exempting certain associations from the provisions; authorizing the board of railroad commissioners to make investigations, issue and enforce orders with reference to unfair discrimination, unlawful combinations, pools and trusts; prescribing certain rules of evidence and procedure; providing punishment for contempt for failure to obey order or subpoena; and providing for appeal from its orders direct to the supreme court."

Grimwood of Jones filed the following amendments to the committee amendments to House File No. 260:

Amend the committee amendments to House File No. 260 as follows:

Amend the amendment to section fourteen (14), subsection sixteen (16), by adding after the words "venereal diseases" the following: " a division housing,".

Also amend by striking out the amendment to section forty (40) and inserting in lieu thereof the following:

Section 40, lines 1 and 2, by striking out the period (.) after the word "physician" and inserting in lieu thereof the following: ", practitioner, or one specially trained in public hygiene and sanitation."

On motion of Williams of Montgomery the House adjourned until 10:00 a. m. Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 25, 1924.

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

Prayer was offered by the Hon. E. A. Grimwood of Jones county.

Journal of February 23d corrected and approved.

## PETITIONS

The following petitions urging the passage of a law providing for compulsory reading of the Bible in public schools were presented and referred to the committee on schools and textbooks:

By Ulstad of Wright, from citizens of Wright county.

By Potts of Lee, from members of Union Presbyterian church, and members of the First M. E. church, Fort Madison.

By Potts of Lee, from members of Santa Fe Avenue M. E. church, Fort Madison.

By Lake and Forsling of Woodbury, from citizens of Danbury.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Frahm of Carroll for the day, on request of Blume of Crawford; Held of Plymouth indefinitely, on request of Lieberknecht of Louisa; Rassler of Pocahontas for the day, on request of Mathews of Des Moines; Carter of Hardin for the day, on request of Dotts of Wayne; Clark of Linn for the day, on request of Hauge of Polk; Donhowe of Storey for the day, on request of Bradley of Poweshiek.

## REPORTS OF COMMITTEES

Hauge of Polk, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations, to whom was re-

ferred House File No. 287, a bill for an act to appropriate sufficient funds to pay the drainage assessments and accrued interest against the state in connection with the drainage of Tow Head lake in Calhoun county, and to make the amount of such assessments and interest a lien against said lands in case the state is found not to be the owner 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, and when so amended the bill do pass:

Amend section one (1) by adding to the end of said section the following:

"This appropriation shall not exceed twenty-two thousand dollars (\$22,000.00)."

A. O. HAUGE, *Chairman.*

Report adopted.

Children of Pottawattamie, from the committee on animal industry, submitted the following report:

MR. SPEAKER: Your committee on animal industry, to whom was referred House File No. 261, a bill for an act to amend, revise, and codify chapters four (4), nine (9), ten (10), eleven (11), and fourteen (14) of title seven (7), chapter forty-six (46) of title thirty-three (33), and sections nine hundred (900) to nine hundred two (902), inclusive, nine hundred four (904) to nine hundred six (906), inclusive, nine hundred eight (908) to nine hundred thirteen (913), inclusive, fourteen hundred twenty-four (1424), fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, fourteen hundred thirty-three (1433) to fourteen hundred thirty-nine (1439), inclusive, fourteen hundred forty-one (1441), fourteen hundred forty-four (1444), fourteen hundred forty-six (1446) to fourteen hundred fifty-one (1451), inclusive, fourteen hundred fifty-three (1453) to fourteen hundred sixty-eight (1468), inclusive, fourteen hundred seventy (1470), fourteen hundred seventy-one (1471), fourteen hundred seventy-three (1473) to fourteen hundred seventy-seven (1477), inclusive, fourteen hundred seventy-nine (1479), fourteen hundred eighty (1480), fifteen hundred thirty-three (1533) to fifteen hundred thirty-five (1535), inclusive, fifteen hundred sixty-eight (1568) to fifteen hundred seventy-one (1571), inclusive, fifteen hundred seventy-three (1573) to fifteen hundred eighty-five (1585), inclusive, fifteen hundred eighty-seven (1587) to fifteen hundred ninety-one (1591), inclusive, fifteen hundred ninety-three (1593) to sixteen hundred six (1606), inclusive, and eighty-eight hundred fifty-two (8852), of the compiled code of Iowa; chapters seven (7) and twelve (12) of title (7) of the compiled code and of the supplement to said code; chapter twenty-four (24) of title five (5), chapter fourteen-A (14-A) of title six (6), and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432), fourteen hundred forty-five (1445), fourteen hundred forty-five-a one (1445-a1) to fourteen hundred forty-five-a three (1445-a3), inclusive, fourteen hundred seventy-eight (1478), fifteen hundred thirty-two-a one (1532-a1) to fifteen

hundred thirty-two-a fourteen (1532-a14), inclusive, fifteen hundred thirty-two-a sixteen (1532-a16), fifteen hundred seventy-two (1572), and fifteen hundred eighty-six (1586) of the supplement to the compiled code of Iowa, relating to regulation and inspection of foods, drugs, and other articles, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

(1) Amend section one (1), subsection four (4), by inserting after the word "box," in line twelve (12) the word "carton,".

(2) Section two (2), line two (2), strike out the period (.) at the end of said line and insert in lieu the following: ", except chapters nine (9) and ten (10) of House File No. 261-A, Special Session of the Fortieth General Assembly, which shall be executed and enforced by the pharmacy examiners."

(3) Amend section six (6) by inserting after the word "sample" in line six (6) the words "and damage to container".

(4) Amend section twelve (12) by inserting between the words "patented" and "trade" the words "or proprietary".

(5) Amend section twenty-six (26) by striking out the word "shall" in line one (1) and substituting the word "may".

(6) Amend section thirty-two (32) by striking the words "which contains a small portion of other milk constituents," from line five (5).

Also amend by striking out the word "process" in line eighteen (18), subsection three (3), and inserting in lieu thereof the word "processed".

(7) Amend section forty-one (41) by adding at end of subsection five (5) preceding the period (.) the words "on the cheese and on the package".

(8) Amend section forty-six (46) by striking out the word "or" in line two (2) and inserting in lieu thereof the words "and for each".

(9) Amend section forty-nine (49) by striking out the words "or buttermilk" in line two (2).

Also amend by striking out all after the word "pasteurized" in line three (3) and by placing a period (.) after the word "pasteurized".

(10) Amend section sixty-seven (67) by striking out the word ", initials," in line three (3).

Also amend by placing a period (.) after the word "manufacturer" in line four (4) and by striking out the balance of the sentence.

(11) Amend section eighty-six (86) by inserting after the words "crude fat," in line seven (7) the words "nitrogen free extract,".

Also amend by striking the word and figure "three (3)" in line nine (9) and by inserting after the word "protein" in same line the words ", and in case of feeding molasses the per cent of total sugars".

(12) Amend section eighty-seven (87) by striking out the entire section and inserting in lieu thereof the following:

"Sec. 87. Stock tonic—labeling.

In the case of stock tonic, in addition to the requirements of the pre-

ceding section, the label shall state the English name of each drug and the total percentage of all drugs and the actual percentage of salt, charcoal, sulphur and the actual percentage and name of any other ingredient contained in such stock tonic."

(13) Amend section eighty-nine (89) by striking out lines 1 to 8, inclusive, and inserting in lieu thereof the following:

"Before any commercial feed is offered or exposed for sale, or sold, the person who desires to offer or expose it for sale, or sell it, shall pay the department a registration fee of fifty cents (50c) accompanied by an affidavit containing the items required by this chapter to be printed on the label of such feed. Upon request a sealed glass jar or bottle containing not less than one pound of said feed shall accompany the registration fee and affidavit."

(14) Amend section ninety-nine (99), subsection three (3), line thirteen (13), by inserting the words "or horse" between the words "sheep" and "sorrel".

(15) Amend section one hundred one (101) by adding after the comma (,) after the word "tested" in line twenty-three (23) the words "and year grown".

Also amend subsection four (4) by inserting after the word "grown" in line twenty-four (24) the words "and if clover or alfalfa the state or country where grown".

Also amend by inserting between lines five (5) and six (6) the following subsection:

"1. Variety of seed."

Also renumber the following subsections.

(16) Amend section one hundred two (102) by striking out the word "fact" in line eight (8) and insert in lieu thereof the word "statement".

Also amend said section by inserting after the word "tested" in line nineteen (19) the words "and year grown".

(17) Amend section one hundred eight (108), subsection three (3), by inserting after the words "wild carrot," in line twelve (12) the words "horse nettle,".

(18) Amend section one hundred nine (109) by inserting after the words "wild carrot," in line three (3) the words "horse nettle,".

(19) Amend section one hundred thirteen (113) by striking out the word "All" in line one (1) and inserting in lieu thereof the word "Any".

(20) Strike out all of chapters nine (9) and ten (10).

(21) Amend section one hundred forty-nine (149) by inserting after the word "dangerous" in line two (2) the words "or impair its efficiency".

(22) Amend section one hundred eighty-five (185) by striking the word "deemed" in line three (3).

(23) Amend section two hundred three (203) by inserting after the word "license" in line two (2) the words "for a public scale".

Also amend by inserting after the word "thirtieth" in same line the words "and for a gasoline pump on June thirtieth".

(24) Amend the title by striking from lines two (2) and three (3) the following: ", chapter forty-six (46) of title thirty-three (33)".

Also, by striking from lines six (6), seven (7), eight (8) and nine (9) the following: ", fourteen hundred twenty-four (1424), fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, fourteen hundred thirty-three (1433) to fourteen hundred thirty-nine (1439), inclusive, fourteen hundred forty-one (1441)".

Also, by striking from line twenty-two (22), after the word "inclusive" the following: ", and eighty-eight hundred fifty-two (8852)".

Also, by striking from lines 25, 26, 27, and 28 the following: ", chapter fourteen-A (14-A) of title six (6), and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432)".

(25) In line two (2) immediately following the enacting clause amend by striking out the following: ", chapter forty-six (46) of title thirty-three (33)".

Also, by striking from lines 5, 6, 7, 8, and 9 the following: ", fourteen hundred twenty-four (1424), fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, fourteen hundred thirty-three (1433) to fourteen hundred thirty-nine (1439), inclusive, fourteen hundred forty-one (1441)".

Also, by striking from line 21, after the word "inclusive" the following: ", and eighty-eight hundred fifty-two (8852)".

Also, by striking from lines 24, 25, 26, and 27 the following: ", chapter fourteen-A (14-A) of title six (6), and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432)".

The committee further recommends that chapters nine (9) and ten (10) of House File No. 261 and the subject matter contained therein be referred to the committee on pharmacy.

W. C. CHILDREN, *Chairman*.

Report adopted and chapters nine (9) and ten (10) of House File No. 261 were referred to the committee on pharmacy.

Parsons of Calhoun, from the committee on drainage, submitted the following report:

MR. SPEAKER: Your committee on drainage, to whom was referred House File Nos. 185 and 118, relating to drainage, have had the same under careful consideration and have drawn a substitute bill for No. 185 embodying the subject matter of both Nos. 185 and 118, and beg leave to submit such substitute for introduction in lieu of House File No. 185, with the recommendation that the same do pass.

THOMAS PARSONS, *Chairman*.

Report adopted.

## INTRODUCTION OF BILL

Substitute for House File No. 185, by committee on drainage, a bill for an act to amend, revise, and codify chapters one (1), two (2) and two-a (2-a) of title fifteen (15) of the compiled code of Iowa and of the supplement to said code, relating to levees, ditches, drains, and watercourses, and chapter two (2) of title eleven (11) of the compiled code of Iowa, relating to drainage of highways and highway drainage districts.

Read first and second times and passed on file.

## HOUSE FILES PLACED ON CALENDAR

Parsons of Calhoun asked unanimous consent to have the Substitute for House File No. 185 placed on the calendar for consideration by the House without waiting for action by the Senate.

No objection was made it was so ordered.

Children of Pottawattamie asked and obtained unanimous consent to have House File No. 261 placed on the calendar for consideration by the House without waiting for action on the bill by the Senate.

## HOUSE FILE WITHDRAWN

On request of Parsons of Calhoun, unanimous consent having been obtained, House File No. 118 was withdrawn from further consideration by the House.

Grimwood of Jones asked and obtained unanimous consent to have chapters nine (9) and ten (10) of House File No. 261 with amendments to be proposed by the committee on pharmacy inserted therein, printed as a new bill, to be known as House File No. 261-A.

## 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. 228, a bill for an act relating to the manner of commencing actions.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 170, a bill for an act relating to municipal corporations—protection of city property.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 300, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Calhoun county, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 299, a bill for an act legalizing the transfer of certain funds by the county treasurer of Appanoose county, Iowa.

Also, that the Senate requests the return of House File No. 46, a bill relating to the bureau of labor and the labor commissioner, his deputies and inspectors, their duties and jurisdiction.

Also, that the Senate concurs in the House amendment to Senate Concurrent Resolution No. 11, relating to tax on sand and gravel.

Also, that the Senate concurs in the House amendments to Senate File No. 197, a bill for an act relating to regulation of carriers.

Also, that the Senate concurs in the House amendments to Senate File No. 55, a bill relating to state board of conservation and state parks.

Also, that the President has appointed as a conference committee on the part of the Senate on Senate File No. 125, a bill relating to destruction of weeds on private lands and public highways, Senators Shaff, Newberry, Hale and Olson.

Also, that the Senate has refused to concur in the House amendments to the following bill:

Senate File No. 93, a bill for an act relating to state college of agriculture and mechanic arts.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 256, a bill for an act relating to guardianship and estate matters.

L. W. AINSWORTH, *Secretary.*

#### SENATE AMENDMENTS TO HOUSE FILE NO. 256

Amend section 5 by inserting after the word "served" in line 3 the words "unless otherwise provided".

Amend by striking from section 7 the following:

"The petition may be presented to the judge, who may appoint a temporary guardian. Such appointment shall continue only until the adjournment of the next term of the district court."

Amend by striking out all of section 7 after the word "defendant" in line 5, and change the comma (,) to a period (.).

Amend by adding immediately after section 7 the following:

"Sec. 7-a1. Temporary guardian.

A temporary guardian may be appointed but only after a hearing on

such notice to the defendant and on such service of said notice as the court or judge shall prescribe.

Sec. 7-a2. Trial.

An issue arising on a prayer for the appointment of a temporary guardian shall be tried by the court or a judge in vacation. An issue arising on the prayer for the appointment of a permanent guardian shall be tried by the court or judge unless a jury be demanded by either party.

Sec. 7-a3. Effect of appointment.

If a permanent guardian be appointed, all contracts or business transactions of the defendant after the filing of the petition shall be presumed to be a fraud against the rights and interests of the defendant."

Amend section 8 by inserting after the word "served" in line 3 the words "unless otherwise provided".

SENATE MESSAGES CONSIDERED

Senate File No. 299, a bill for an act legalizing the transfer of certain funds by the county treasurer of Appanoose county, Iowa.

Read first and second times and referred to committee on judiciary.

Senate File No. 300, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Calhoun county, Iowa.

Read first and second times and referred to committee on judiciary.

HOUSE FILE NO. 46 RETURNED TO SENATE

Ulstad of Wright moved that House File No. 46 be returned to the Senate, in accordance with the request of the Senate.

Motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 20, 130, 168, 188, 250, 293.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 20, 130, 168, 188, 250 and 293.

## AMENDMENTS FILED

Hauge of Polk filed the following amendment as a substitute for the amendment filed by him on February 21st to Senate File No. 51:

Amend Senate File No. 51, section 101, by striking from line five (5) of said section the word "shall" and substituting in lieu thereof the following: "may, if the plaintiff be successful,"; and by striking from line 6 of said section the words "sum for his services" and by inserting in lieu thereof the following: "attorney's fee not exceeding twenty-five dollars (\$25.00), such fee to be assessed against the defendant together with the costs of said cause".

Bradley of Poweshiek filed the following amendments to Senate File No. 51:

(1) Amend Senate File No. 51, section 42-a1, by striking from lines six (6) and seven (7) the words "an attorney fee equal to one-fourth of the principal amount adjudged against the property" and substituting in lieu thereof the following: "a reasonable attorney fee to be fixed by the court".

(2) Amend section 59 by adding after the word "unlawfully" in line five (5) thereof the words "manufactured or".

(3) Amend section one hundred one (101) by adding after the word "shall" in line five (5) the following: ", if the plaintiff be successful,".

Also amend said section by striking from lines five (5) and six (6) thereof the words "a reasonable sum for his services" and substituting in lieu thereof the words "an attorney fee of twenty-five dollars to be taxed as costs therein".

(4) Amend section 117-a1 by striking out the word "precept" in the third line thereof and inserting in lieu thereof the word "warrant".

Also amend said section 117-a1 by striking out the word "of" in line four (4) thereof and substituting in lieu thereof the word "or".

(5) Amend section 130 by striking from lines four (4) and five (5) thereof the words "within thirty days after a judgment therefor is entered of record in any case, civil or criminal,".

Also strike from line eleven (11) of said section the words "record of such judgment" and substitute in lieu thereof the words "violation of any provision of this title committed upon such real estate".

Also by adding a period (.) after the word "notice" in line twelve (12) thereof and striking out the remainder of said section.

Clark of Linn filed the following amendments to the special budget committee amendments to Senate File No. 7:

Amend special budget committee amendments to Senate File No. 7 as follows:

(1) Strike out sections seven (7) and eight (8) of said committee amendments, and insert in lieu thereof the following:

**Sec. 7. Budget board.**

There is hereby created a board to be known as a state budget board, which shall consist of five (5) members, not more than three (3) of whom shall belong to the same political party.

**Sec. 8. Appointment.**

On the taking effect of this act, the governor shall name, and with the approval of the Senate appoint, the members of the state budget board, two of whom shall serve until July first, nineteen hundred twenty-five (1925), two until July first, nineteen hundred twenty-seven (1927), and the fifth until July first, nineteen hundred twenty-nine (1929). The governor shall hereafter within sixty (60) days after the convening of the general assembly, name, and with the approval of the Senate, appoint members of said budget board to take the places of those whose terms expire during that year, or to fill any vacancies that may otherwise exist.

**Sec. 8-a1. Organization and compensation.**

The members of the state budget board so appointed shall meet upon a date to be set by the governor, as soon after their appointment as convenient, and shall determine by lot the terms for which each shall serve, and shall organize by selecting one of their number as chairman and one of their number as secretary. All future appointments for full terms shall be made for terms of six (6) years. The members of the budget board shall be paid a per diem of ten dollars (\$10.00) for each day's service, not exceeding one hundred (100) days in any calendar year, and shall also be paid their actual and necessary traveling expenses.

(2) Amend section fifteen (15) by striking out of line three (3) thereof the word "operation", and inserting in lieu thereof the words "financial operations".

(3) Amend section sixteen (16) by inserting after the word "departments" in line three (3) thereof the following: ", the heads of all institutions under the state board of education and state board of control, and all taxpayers or associations of taxpayers desiring to be heard".

(4) Amend section seventeen (17) by striking out of line four (4) thereof the words "a state appropriation bill" and inserting in lieu thereof the words "such appropriation bills for the various departments of state and state institutions as may in their discretion seem advisable".

(5) Amend sections eighteen (18), nineteen (19) and twenty (20) by striking out the word "bill" wherever the same occurs, and inserting in lieu thereof the word "bills".

(6) Amend by striking out section twenty-one (21) thereof and inserting in lieu thereof the following:

**Sec. 21. Status of bills.**

Said appropriation bills, when so transmitted, shall be introduced in both houses by the chairmen of the committees on appropriations, shall be read a first and second time, and be referred to the committee on appropriations in the respective houses.

(7) Amend section twenty-three (23) by inserting before the period in line seven (7) the words "or of any standing committee in either house".

(8) Amend section twenty-four (24) by striking out of line two (2) the words "chief accountant", and inserting in lieu thereof the words "director of accountancy".

(9) Amend section twenty-six (26) by inserting after the word "actual" in line four (4) thereof the word "financial".

(10) Amend section twenty-six (26) by inserting after the word "conducted" in line eight (8) thereof the words "with regard to its financial transactions, receipts and expenditures".

(11) Amend section twenty-six (26) by inserting after the word "goods" in line eighteen (18) thereof, the following: ", supplies, appliances, machinery, apparatus,".

(12) Amend section twenty-seven (27) by inserting before the word "records" in line three (3) thereof the word "financial"; and also by inserting before the word "accounts" in line seven (7) thereof the word "financial".

(13) Amend section twenty-seven (27) by inserting after the word "management" in line eleven (11) the following: ", policies, government, records, conduct,".

(14) Amend section twenty-eight (28) by striking out the period at the end and inserting a semicolon (;) in lieu thereof, and the following: "and including each and every department and office enumerated in chapter three hundred thirty-four (334), acts of the Fortieth General Assembly, and each and every institution under the charge of the state board of education and the state board of control."

(15) Amend section twenty-nine (29) by striking out the comma (,) after the word "assembly" in line three (3) and inserting a period in lieu thereof, and striking out the remainder of the section.

The special budget committee of nine filed the following amendment to the special budget committee amendments to Senate File No. 7:

Amend special budget committee amendments to Senate File No. 7 as follows:

Amend section ten (10) of said amendments to read as follows:

The budget director, with the approval of the budget board, shall employ such assistants as may be necessary to carry into effect the provisions of this chapter. Such assistants shall be under the direction of the director of the budget and shall be subject to dismissal by him.

Children of Pottawattamie filed the following amendments to House File No. 211 and the committee amendments to said bill:

Amend House File No. 211, section one (1), by placing a period (.) after the word "commodities" in line thirty-two (32) of subsection four (4) and striking out the remainder of the subsection.

Amend the committee amendments by substituting therefor the following:

"Amend section four (4) by adding thereto the following sentence: 'Nor shall the provisions of sections one (1), two (2), and three (3) of this act be held to apply to farmers' or other cooperative buying or selling organizations, organized and operated to secure a fair and reasonable price for farm products or to obtain reasonable prices for the necessities of the farm.'"

Knutson of Cerro Gordo filed the following amendments to House File No. 260:

Amend House File No. 260 as follows:

(1) Section 14, subdivision 8, line 27, strike out the period and insert in lieu thereof the following: "in the manner prescribed in the following section."

Immediately after section 14 insert the following sections:

"Sec. 14-a1. Plumbing regulations.

The code of rules governing the installation of plumbing provided for in the preceding section shall be amended biennially as conditions may require. The necessary amendments shall be determined by a plumbing code committee which shall be appointed by the commissioner of public health on or before July first, nineteen hundred twenty-five (1925), and every six (6) years thereafter. Such committee shall consist of the engineer who is the head of the division of sanitary engineering, one manufacturer or wholesale dealer of plumbing materials, one master plumber, one journeyman plumber, and one city plumbing inspector. The engineer member shall be chairman of the committee.

Sec. 14-a2. Powers of plumbing committee.

The committee shall meet at the call of the chairman, which shall be issued during the month of December of each even-numbered year. It shall continue in session until it has agreed upon the amendments deemed necessary to the existing code governing the installation of plumbing. All such amendments shall be adopted and promulgated by the department.

Sec. 14-a3. Compensation and expenses of committee.

The members of the committee shall receive no compensation for their services, but they shall receive their necessary traveling and hotel expenses in discharging the duties prescribed in the preceding section.

Sec. 14-a4. Plumbing code revision fund.

Cities and towns licensing plumbers shall pay to the treasurer of state one dollar (\$1.00) for each license issued and twenty-five cents (25c) for

each renewal thereof. The fees so received shall be kept by the treasurer in a separate fund to be known as the plumbing code fund. Such fund shall be used in paying the claims arising under the preceding section and in paying the cost of printing the code of rules governing the installation of plumbing."

(2) Amend by inserting preceding section 243 the following:

"Sec. 242-a3. Plumbing code committee.

The commissioner of public health shall, immediately upon the taking effect of this title, appoint a plumbing code committee under the provisions of chapter one (1) of this title. Said committee shall meet as soon as possible after its appointment and shall discharge the duties prescribed for such committee in said chapter. The committee provided for in this section shall cease to exist on July first, nineteen hundred twenty-five (1925) and shall be superseded by the committee appointed under chapter one (1) of this title.

Sec. 242-a4. Plumbing code fund.

Immediately upon the taking effect of this title the treasurer of state shall transfer the balance remaining in the plumbing inspection fund under the provisions of chapter three hundred seventy-eight (378), acts of the thirty-eighth general assembly, to the plumbing code fund provided in chapter one (1) of this title and said fund shall become available at once for the payment of the expenses of the committee provided for in the preceding section."

Diltz of Polk filed the following amendments to Senate File No. 51:

Amend Senate File No. 51 as follows:

Amend section 118 by striking from line 1 the words "a citizen" and inserting in lieu thereof the word "anyone".

Further amend by striking the word "they" in line 2 and inserting in lieu thereof the words "said costs, not including attorney's fee,".

On motion of Peterson of Henry the House adjourned until 9:30 a. m. Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 26, 1924.

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

Prayer was offered by the Rev. G. O. Paulsrud, pastor of the Lutheran church, Randall, Iowa.

Journal of February 25th corrected and approved.

## PETITIONS

The following petitions urging the passage of a law providing for compulsory reading of the Bible in public schools were presented and referred to the committee on schools and textbooks:

By Frahm of Carroll, from citizens of Carroll.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Saunders of Palo Alto for the day, on request of Patterson of Kossuth; Olson of Clinton for the forenoon, on request of Elliott of Scott.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this twenty-fifth day of February, 1924, sent to the Governor for his approval: House Files Nos. 20, 130, 168, 188, 250, 293.

C. F. LETTS, *Chairman.*

Report adopted.

## REPORT OF COMMITTEE

Carter of Hardin, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred Senate File No. 85, a bill for an act to amend, revise, and codify

chapter one (1) of title ten (10) and sections twenty-two hundred seventy-one (2271), twenty-two hundred seventy-three (2273), twenty-five hundred seventy-three (2573), and twenty-five hundred seventy-five (2575) of the compiled code of Iowa, and sections twenty-two hundred seventy-four-a one (2274-a1), twenty-two hundred seventy-four-a two (2274-a2), and twenty-six hundred twenty-eight (2628) of the supplement to said code, 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 as follows, and when so amended the bill do pass:

Amend section 2, line 1, by inserting after the word "corporation" the following: "and the authorities in charge of each private school".

Also amend by striking section 8 and inserting in lieu thereof the following:

"Sec. 8. The Bible shall not be excluded from any public institution, and the teacher in charge of any public school shall read or cause to be read a portion of the Bible, daily, without comment, in every public school class room or session room, and no child shall be required to read the Bible against the wish of his parent or guardian. The provisions of this section shall not be construed to prohibit the offering of elective courses in Bible study.

Upon taking effect of this act, the governor shall appoint a committee of seven members to serve without pay, of which the superintendent of public instruction shall be chairman ex officio, whose duty it shall be to select an extended list of references to Bible passages recommended for daily reading in the public schools, and the department of public instruction shall furnish copies of said list free to the school boards of the state."

L. V. CARTER, *Chairman.*

Report adopted.

#### CONSIDERATION OF BILLS

Senate File No. 51, a bill for an act to amend, revise, and codify sections nine hundred sixteen (916), nine hundred seventeen (917), nine hundred nineteen (919), nine hundred sixty-two (962), nine hundred sixty-five (965) to nine hundred sixty-seven (967), inclusive, nine hundred sixty-nine (969) to nine hundred seventy-three (973), inclusive, nine hundred seventy-eight (978), nine hundred seventy-nine (979), nine hundred eighty (980), nine hundred eighty-one (981) to nine hundred ninety-seven (997), inclusive, nine hundred ninety-nine (999) to ten hundred eighteen (1018), inclusive, ten hundred twenty (1020), ten hundred twenty-three (1023), and ten hundred twenty-five (1025) to ten hundred twenty-seven (1027), inclusive, ninety-two hundred sixty-six (9266) and ninety-two hundred sixty-seven (9267), of

the compiled code of Iowa, and sections nine hundred fourteen (914), nine hundred fifteen (915), nine hundred eighteen (918), nine hundred sixty-eight (968), nine hundred seventy-four-a one (974-a1) to nine hundred seventy-four-a three (974-a3), inclusive, nine hundred seventy-five (975), nine hundred seventy-six-a one (976-a1) to nine hundred seventy-six-a six (976-a6), inclusive, nine hundred seventy-seven-a one (977-a1) to nine hundred seventy-seven-a seven (977-a7), inclusive, nine hundred ninety-eight (998), ten hundred nineteen (1019), ten hundred twenty-a one (1020-a1), and ten hundred twenty-four (1024) of the supplement to said code, relating to intoxicating liquors. Also amending section nine thousand fifteen (9015) of the compiled code referring to the penalties for smuggling liquors, narcotics, firearms or other devices for escape into jails and penal institutions of this state, was taken up for further consideration.

The following amendments filed by Bradley of Poweshiek were taken up and considered:

(1) Amend Senate File No. 51, section 42-a1, by striking from lines six (6) and seven (7) the words "an attorney fee equal to one-fourth of the principal amount adjudged against the property" and substituting in lieu thereof the following: "a reasonable attorney fee to be fixed by the court".

(2) Amend section 59 by adding after the word "unlawfully" in line five (5) thereof the words "manufactured or".

(3) Amend section one hundred one (101) by adding after the word "shall" in line five (5) the following: ", if the plaintiff be successful,".

Also amend said section by striking from lines five (5) and six (6) thereof the words "a reasonable sum for his services" and substituting in lieu thereof the words "an attorney fee of twenty-five dollars to be taxed as costs therein".

(4) Amend section 117-a1 by striking out the word "precept" in the third line thereof and inserting in lieu thereof the word "warrant".

Also amend said section 117-a1 by striking out the word "of" in line four (4) thereof and substituting in lieu thereof the word "or".

(5) Amend section 120 by striking from lines four (4) and five (5) thereof the words "within thirty days after a judgment therefor is entered of record in any case, civil or criminal,".

Also strike from line eleven (11) of said section the words "record of such judgment" and substitute in lieu thereof the words "violation of any provision of this title committed upon such real estate".

Also by adding a period (.) after the word "notice" in line twelve (12) thereof and striking out the remainder of said section.

On motion of Vincent of Guthrie amendments Nos. 1, 2, 4 and 5 were adopted.

On request of Bradley of Poweshiek, unanimous consent having been obtained, amendment No. 3 was withdrawn.

Hauge of Polk offered the following amendment which, by unanimous consent, was substituted for the amendments filed by him on February 21st and 25th:

Amend Senate File No. 51, section one hundred one (101), by striking from lines five (5) and six (6) the following: "allow the attorney prosecuting such cause a reasonable sum for his services," and substituting in lieu thereof the following: "if the plaintiff be successful, allow the attorney prosecuting such cause an attorney's fee of twenty-five dollars (\$25.00), such fee to be assessed against the defendant, together with the costs in such cause".

On motion of Mr. Hauge the amendment was adopted.

The following amendment filed by Diltz of Polk was taken up and considered:

Amend Senate File No. 51 as follows:

Amend section 118 by striking from line 1 the words "a citizen" and inserting in lieu thereof the word "anyone".

Further amend by striking the word "they" in line 2 and inserting in lieu thereof the words "said costs, not including attorney's fee".

Slemmons of Buchanan moved the previous question as applied to the amendment.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Aiken	Forsling	Lake	Rassler
Blake	Frahm	Matthiesen	Rewoldt
Children	Gallagher	Miller	Schulte
Colbert	Hansen	O'Donnell	Wamstad
Diltz	Hattendorf	Ontjes	Yenter—25
Dotts	Hauge	Ramsey	
Elliott	Hempel		

The nays were:

Anderson of	Briftain	Criswell	Edson
Webster	Buffington	Dewar	Fackler
Blume	Carter	Donhowe	Garber of Floyd
Bradley	Clark	Dooley	Gesman
Brady	Cole	Edge	Gibson

Gilbertson	Long	Powers	Smith of Lucas
Gilmore	Lovrien	Quirk	Stock
Grimwood	McClune	Rhinehart	Stookesberry
Harrison	Mathews	Robson	Storey
Healy	Moen	Rumley	Strippel
Henderson	Napier	Rust	Ustad
Hollis	Natvig	Sampson	Venard
Johnson	Noble	Schirmer	Vincent
King	Oliver	Scott of	Weber
Knutson	Orr	Appanoose	Williams
Leonard	Parsons	Scott of Fremont	Wilson
Letts	Patterson	Slemmons	Wolfe
Lichty	Peterson	Smith of	Mr. Speaker—72
Lieberknecht	Potts	Chickasaw	

## Absent or not voting:

Berry	Gilbert	Himebauch	Rankin
Doolittle	Graham	Huff	Saunders—11
Garber of Adair	Held	Olson	

## Amendment rejected.

Vincent of Guthrie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

## On the question "Shall the bill pass?"

## The ayes were:

Aiken	Frahm	Lieberknecht	Schirmer
Anderson of Webster	Gallagher	Long	Schulte
Blake	Garber of Adair	Lovrien	Scott of
Blume	Garber of Floyd	McClune	Appanoose
Bradley	Gesman	Mathews	Scott of Fremont
Brady	Gibson	Matthiesen	Slemmons
Brittain	Gilbertson	Moen	Smith of
Buffington	Gilmore	Napier	Chickasaw
Carter	Graham	Natvig	Smith of Lucas
Children	Grimwood	Noble	Stock
Clark	Harrison	Oliver	Stookesberry
Colbert	Hattendorf	Ontjes	Storey
Cole	Hauge	Orr	Strippel
Criswell	Healy	Parsons	Ustad
Dewar	Hempel	Patterson	Venard
Donhowe	Henderson	Peterson	Vincent
Dooley	Hollis	Potts	Wamstad
Doolittle	Huff	Powers	Weber
Dotts	Johnson	Quirk	Williams
Edge	King	Ramsey	Wilson
Edson	Knutson	Rassler	Wolfe
Elliott	Lake	Rhinehart	Yenter
Fackler	Leonard	Robson	Mr. Speaker—95
Forsling	Letts	Rust	
	Lichty	Sampson	

## The nays were, none.

Absent or not voting:

Berry	Held	Olson	Rumley
Diltz	Himebauch	Rankin	Saunders—13
Gilbert	Miller	Kewoldt	
Hansen	O'Donnell		

So the bill having received a constitutional majority was declared to have passed the House.

Rankin of Lee offered the following amendment to the title and moved its adoption:

Amend the title to Senate File No. 51 by striking therefrom the last sentence.

Amendment adopted and the title, as amended, was agreed to.

#### SPECIAL ORDER NO. 1

Senate File No. 7, a bill for an act to amend, revise, and codify section ninety-four (94) of the compiled code of Iowa, relating to the duties of the Governor, with report of committee recommending amendment and passage, was taken up for consideration.

Forsling of Woodbury moved that action on Senate File No. 7 be deferred and that the bill be made a special order for Thursday, March 6th, at 10:00 a. m.

On the question "Shall action on Senate File No. 7 be deferred and the bill made a special order for Thursday, March 6th, at 10:00 a. m.?" a roll call was demanded.

The ayes were:

Aiken	Forsling	Gilmore	Lake
Clark	Gilbert	Grimwood	Rhinehart—9
Cole			

The nays were:

Anderson of	Jooley	Hansen	Lichty
Webster	Boollittle	Harrison	Lieberknecht
Blake	Dotts	Hatfield	Long
Blume	Edson	Hauge	Lovrien
Bradley	Elliott	Healy	Mathews
Brady	Fackler	Hempel	Matthiesen
Brittain	Frahm	Henderson	Miller
Duffington	Gallagher	Hollis	Moen
Carter	Garber of Adair	Huff	Napier
Children	Garber of Floyd	Johnson	Natvig
Colbert	Gesman	King	Noble
Criswell	Gitson	Knutson	Oliver
Lewar	Gilbertson	Leonard	Ontjes
Lonhowe	Graham	Letts	Orr

Farsons	Robson	Smith of	Venard
Patterson	Rumley	Chickasaw	Vincent
Peterson	Sampson	Smith of Lucas	Wamstad
Potts	Schirmer	Stock	Weber
Quirk	Scott of	Stookesberry	Williams
Rankin	Appanoose	Storey	Wilson
Rassler	Scott of Fremont	Strippel	Wolfe
Rewoldt	Slemmons	U'lstad	Mr. Speaker—85

## Absent or not voting:

Berry	Himebauch	Powers	Saunders
Diltz	McClune	Ramsey	Schulte
Edge	O'Donnell	Rust	Yenter—14
Held	Olson		

The motion to defer action was lost.

Moen of Lyon moved that the House adjourn until 1:00 p. m. today.

Clark of Linn moved to amend the motion by changing the time to which to adjourn from 1:00 p. m. today until 9:30 a. m., Wednesday.

Children of Pottawattamie moved to amend the amendment by changing the time to which to adjourn from 9:30 a. m., Wednesday, to 2:30 p. m., today.

Amendment to the amendment adopted.

Amendment, as amended, adopted.

The motion to adjourn, as amended, prevailed.

## AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Bradley of Poweshiek for the remainder of the day, on request of Donhowe of Story.

## BUSINESS PENDING

The House resumed consideration of Senate File No. 7.

The following amendment filed by the special budget committee to the substitute amendments proposed by said committee was taken up and considered:

Amend special budget committee amendments to Senate File No. 7 as follows:

Amend section ten (10) of said amendments to read as follows:

The budget director, with the approval of the budget board, shall employ such assistants as may be necessary to carry into effect the provisions of this chapter. Such assistants shall be under the direction of the director of the budget and shall be subject to dismissal by him.

On motion of Moen of Lyon the amendment was adopted.

The following amendments filed by the special budget committee to the substitute amendments proposed by said committee were taken up and considered:

Amend special budget committee amendments to Senate File No. 7 as follows:

(1) Amend by inserting immediately after section 62 of said amendments the following:

"That sections ninety hundred fifty-six (9056) and ninety hundred fifty-seven (9057) of the compiled code of Iowa are amended, revised, and codified to read as follows:

Sec. 62-a1. Power of special agents.

Special agents appointed by the governor shall have the rights and powers possessed by special agents of the department of justice appointed by the attorney general, and shall give bond in the same amount.

Sec. 62-a2. Salary and expenses.

Special agents appointed by the governor shall be paid their actual and necessary expenses incurred in the discharge of their duties, and such salary as the executive council shall fix. Not more than one special agent may be employed by the governor for a period in excess of thirty (30) days without the consent of the executive council.

Sec. 62-a3. Temporary appropriation.

There is appropriated, until July first, nineteen hundred twenty-five (1925), from any funds in the state treasury not otherwise appropriated, such sum as may be necessary to pay the salaries and expenses of special agents appointed by the governor.

That sections five (5) and six (6) of House File No. Ten (10) of the acts of the extra session of the Fortieth General Assembly, said House file being entitled "An act to amend, revise, and codify chapter six (6) of title two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general and making an appropriation for the expenses provided", are amended, revised, and codified to read as follows:

Sec. 62-a4. Special counsel.

No compensation shall be allowed to any person for services as an attorney or counselor to any department of the state government, or the head thereof, or to any state board or commission, except in cases specially

authorized by law, but the executive council may employ legal assistance, at a reasonable compensation, in any pending action or proceeding to protect the interests of the state, but only upon a sufficient showing, in writing, made by the attorney general, that his department can not for reasons stated by him perform said service, which reasons and action of the council shall be entered upon its records. Such compensation shall, until July first, nineteen hundred twenty-five (1925), be payable out of any unappropriated funds in the state treasury.

**Sec. 62-a5. Expenses.**

The attorney general and his assistants shall be repaid their actual and necessary expenses incurred in transacting their official duties at places other than the seat of government."

(2) Amend by inserting in the seventh line of the printed title immediately after the parenthetical term "(6476)" the following: ", ninety hundred fifty-six (9056) and ninety hundred fifty-seven (9057)".

(3) Amend by inserting immediately after the word "code," in the twentieth (20) line of the printed title, the following: "and sections five (5) and six (6) of House File No. Ten (10) of the acts of the extra session of the Fortieth General Assembly,".

On motion of Moen of Lyon the amendments were adopted.

The following amendments filed by Clark of Linn to the substitute amendments proposed by the special budget committee were taken up and considered:

Amend special budget committee amendments to Senate File No. 7 as follows:

(1) Strike out sections seven (7) and eight (8) of said committee amendments, and insert in lieu thereof the following:

**Sec. 7. Budget board.**

There is hereby created a board to be known as a state budget board, which shall consist of five (5) members, not more than three (3) of whom shall belong to the same political party.

**Sec. 8. Appointment.**

On the taking effect of this act, the governor shall name, and with the approval of the Senate appoint, the members of the state budget board, two of whom shall serve until July first, nineteen hundred twenty-five (1925), two until July first, nineteen hundred twenty-seven (1927), and the fifth until July first, nineteen hundred twenty-nine (1929). The governor shall hereafter within sixty (60) days after the convening of the general assembly, name, and with the approval of the Senate, appoint members of said budget board to take the places of those whose terms expire during that year, or to fill any vacancies that may otherwise exist.

**Sec. 8-a1. Organization and compensation.**

The members of the state budget board so appointed shall meet upon a date to be set by the governor, as soon after their appointment as convenient, and shall determine by lot the terms for which each shall serve,

and shall organize by selecting one of their number as chairman and one of their number as secretary. All future appointments for full terms shall be made for terms of six (6) years. The members of the budget board shall be paid a per diem of ten dollars (\$10.00) for each day's service, not exceeding one hundred (100) days in any calendar year, and shall also be paid their actual and necessary traveling expenses.

(2) Amend section fifteen (15) by striking out of line three (3) thereof the word "operation", and inserting in lieu thereof the words "financial operations".

(3) Amend section sixteen (16) by inserting after the word "departments" in line three (3) thereof the following: ", the heads of all institutions under the state board of education and state board of control, and all taxpayers or associations of taxpayers desiring to be heard".

(4) Amend section seventeen (17) by striking out of line four (4) thereof the words, "a state appropriation bill" and inserting in lieu thereof the words "such appropriation bills for the various departments of state and state institutions as may in their discretion seem advisable".

(5) Amend sections eighteen (18), nineteen (19) and twenty (20) by striking out the word "bill" wherever the same occurs, and inserting in lieu thereof the word "bills".

(6) Amend by striking out section twenty-one (21) thereof and inserting in lieu thereof the following:

Sec. 21. Status of bills.

Said appropriation bills, when so transmitted, shall be introduced in both houses by the chairmen of the committees on appropriations, shall be read a first and second time, and be referred to the committee on appropriations in the respective houses.

(7) Amend section twenty-three (23) by inserting before the period in line seven (7) the words "or of any standing committee in either house".

(8) Amend section twenty-four (24) by striking out of line two (2) the words "chief accountant", and inserting in lieu thereof the words "director of accountancy".

(9) Amend section twenty-six (26) by inserting after the word "actual" in line four (4) thereof the word "financial".

(10) Amend section twenty-six (26) by inserting after the word "conducted" in line eight (8) thereof the words "with regard to its financial transactions, receipts and expenditures".

(11) Amend section twenty-six (26) by inserting after the word "goods" in line eighteen (18) thereof, the following: ", supplies, appliances, machinery, apparatus,".

(12) Amend section twenty-seven (27) by inserting before the word "records" in line three (3) thereof the word "financial"; and also by inserting before the word "accounts" in line seven (7) thereof the word "financial".

(13) Amend section twenty-seven (27) by inserting after the word "management" in line eleven (11) the following: ", policies, government, records, conduct,".

(14) Amend section twenty-eight (28) by striking out the period at the end and inserting a semicolon (;) in lieu thereof, and the following: "and including each and every department and office enumerated in chapter three hundred thirty-four (334), acts of the Fortieth General Assembly, and each and every institution under the charge of the state board of education and the state board of control."

(15) Amend section twenty-nine (29) by striking out the comma (,) after the word "assembly" in line three (3) and inserting a period in lieu thereof, and striking out the remainder of the section.

Criswell of Boone moved the previous question as applied to amendment No. 1 offered by Clark of Linn.

Motion prevailed.

Forsling of Woodbury moved the adoption of amendment No. 1 offered by Clark of Linn.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Blake	Elliott	Grimwood	Rankin
Clark	Forsling	Letts	Rhinehart
Colbert	Gallagher	O'Donnell	Rumley
Cole	Garber of Adair	Patterson	Weber
Doolittle	Gilmore	Potts	Williams—21
Edson			

The nays were:

Anderson of	Gibson	Mathews	Scott of
Webster	Gilbert	Matthiesen	Appanoose
Berry	Gilbertson	Miller	Scott of Fremont
Blume	Graham	Moen	Slemmons
Brady	Hansen	Napier	Smith of
Brittain	Harrison	Natvig	Chickasaw
Buffington	Hattendorf	Noble	Smith of Lucas
Carter	Hauge	Oliver	Stock
Children	Healy	Olson	Stookesberry
Criswell	Hempel	Ontjes	Storey
Dewar	Henderson	Orr	Strippel
Diltz	Huff	Parsons	Ulstad
Donhowe	Johnson	Peterson	Venard
Dooley	King	Quirk	Vincent
Dotts	Knutson	Rassler	Wamstad
Edge	Leonard	Rewoldt	Wilson
Fackler	Lichty	Robson	Wolfe
Frahm	Lieberknecht	Sampson	Mr. Speaker—75
Garber of Floyd	Long	Schirmer	
Gesman	Lovrien	Schulte	

Absent or not voting:

Aiken	Himebauch	McClune	Rust
Bradley	Hollis	Powers	Saunders
Held	Lake	Ramsey	Yenter—12

Amendment No. 1 by Clark of Linn was rejected.

#### INTRODUCTION OF BILL

House File No. 261-A, by committee on pharmacy, a bill for an act to amend, revise, and codify sections fourteen hundred twenty-four (1424), fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, eighty-eight hundred fifty-two (8852), eighty-eight hundred sixty-four (8864), eighty-eight hundred sixty-five (8865), and chapter fifteen (15) of title six (6) of the compiled code of Iowa; and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432), and chapter fourteen-A (14-A) of title six (6) of the supplement to the compiled code of Iowa, relating to drugs, poisons, narcotics, and abortifacients.

Read first and second times and passed on file.

#### REPORT OF COMMITTEE

Rankin of Lee, from the committee on railroads, submitted the following report:

MR. SPEAKER: Your committee on railroads to whom was referred House File No. 190, a bill for an act to amend, revise, and codify sections forty-nine hundred eighty-two (4982), fifty hundred two (5002) to fifty hundred seven (5007), inclusive, fifty hundred twelve (5012), fifty hundred thirteen (5013), fifteen hundred fifty-one (5051), fifty hundred fifty-two (5052), fifty hundred sixty-five (5065), fifty hundred seventy-two (5072), fifty hundred seventy-four (5074), fifty hundred seventy-five (5075), fifty hundred seventy-eight (5078), fifty hundred eighty (5080) to fifty hundred eighty-five (5085), inclusive, fifty-one hundred one (5101) to fifty-one hundred three (5103), inclusive, fifty-one hundred five (5105) to fifty-one hundred seven (5107), inclusive, fifty-one hundred seventy-one (5171), fifty-one hundred seventy-two (5172) of the compiled code of Iowa, and fifty-one hundred seventy-two-a one (5172-a1) to fifty-one hundred seventy-two-a four (5172-a4), inclusive, of the supplement to said code, relating to the construction and operation of railways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section eight (8) by striking all after the word "agent" in line seven (7).

JNO. M. RANKIN, *Chairman.*

Report 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. 94, a bill for an act relating to the Iowa state teachers college.

Also, that the Senate has adopted and concurred in the report of the conference committee on House File No. 212, a bill for an act relating to certain special liens.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 142, a bill for an act relating to county public hospitals and detention hospitals for contagious diseases.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 66, a bill for an act relating to state fair and agricultural organizations receiving state aid.

L. W. AINSWORTH, *Secretary.*

#### SENATE AMENDMENTS TO HOUSE FILE NO. 142

Amend section 5 by striking out of lines 1 and 2 the following words: "upon the taxable property of the county,".

Also strike out of lines 3 and 4 the words "on the dollar".

Also strike out of line 5 the words "on the dollar required".

Amend by adding immediately following section 14, the following:

"Sec. 14-a1. Duty of trustees as to collections.

It shall be the duty of the trustees either by themselves or through the superintendent to make collections of all accounts for hospital services rendered for others than indigent patients. Such account shall be payable on presentation to the person liable therefor, of an itemized statement and if not paid or secured within sixty (60) days after such presentation the said trustees shall proceed to enforce collections by such legal proceedings as they may deem necessary. All legal services for such purpose shall be performed by the county attorney without additional compensation."

Amend section 18 by striking out of line 6 the words "of not to exceed" and inserting in lieu thereof the words "not exceeding".

Also by placing a period (.) after the word "mill" in line 7 and striking out all the remainder of said line including the period (.)

Amend section 28 by striking out all the section after the period (.) following the word "annually" in line 5 and in lieu thereof insert the following: "The board shall make such levy as will pay the said bonds and interest thereon as they become due. Such funds shall be used for no other purpose."

#### SENATE AMENDMENTS TO HOUSE FILE NO. 66

Amend section 5 by striking therefrom lines 1 to 5 inclusive, and substituting the following:

"1. The convention shall elect a president and a vice president of the state fair board.

2. The delegates of each congressional district shall elect the director for that district and he shall take office at noon on the day following the adjournment of the convention."

Amend section 8 by inserting after the word "necessary" in line 2 and before the word "expenses" in line 3 thereof the words "traveling and hotel".

Amend section 12 by inserting after the word "necessary" in line 3 the words "traveling and hotel".

Amend section 33 by striking from line 2 the words "or special".

Amend section 34 by striking therefrom lines 1, 2, 3, and 4, and inserting in lieu thereof the following: "If a majority of the votes cast are in favor of such proposition,"

Amend section 65 by inserting after the word "growing" appearing in line 8 the following: "at the same time as the farmers' winter short course at the state college of agriculture and mechanic arts".

Amend section 98 by changing the period (.) at the end of the section to a comma (,), and adding the following: "after which they shall be audited by the state board of audit and paid as other claims."

#### AMENDMENTS FILED

Lake of Woodbury filed the following amendments to the committee amendments to House File No. 260:

Amend the committee amendment to section one (1), subsection five (5), by inserting after the word "surgery" the following: ", osteopathy, or osteopathy and surgery".

Amend the committee amendment to section one (1), subsection five-a one (5-a1), by striking out the words "osteopathy and surgery, osteopathy, or".

Lake of Woodbury filed the following amendment to House File No. 260:

Amend section three (3), line one (1), by inserting after the word "be" the following: "a physician of any of the schools for which a license is granted or".

Strippel of Benton filed the following amendment to House File No. 261:

Amend House File No. 261 as follows:

In section 86, line 3, strike out "sections forty (40) and one hundred seventeen (117)" and in lieu insert the following: "section forty (40) of this title and section one hundred seventeen (117) of House File No. 261-A, special session, Fortieth General Assembly".

Robson of Greene filed the following amendment to House File No. 261:

Amend House File No. 261 as follows:

In section 132, lines 4 and 5, strike out the following: "one hundred twenty-five (125)" and in lieu thereof insert: "one hundred twenty-four (120-a24) of House File No. 261-A, special session, Fortieth General Assembly".

Parsons of Calhoun filed the following amendment to Senate File No. 7:

Amend section 63 of the substitute amendments proposed by the committee to Senate File No. 7 by striking out the said section and substituting in lieu thereof the following:

"The amendment, revision, and codification of the foregoing sections which embrace appropriations, is for the sole purpose of terminating said existing appropriations at the time indicated, and should any such appropriations as indicated in this act be in excess of those now authorized, they shall be reduced to said amount and in no case shall they be increased."

On motion of Ontjes of Grundy the House adjourned until 9:30 a. m., Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES.  
DES MOINES, IOWA, FEBRUARY 27, 1924.

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

Prayer was offered by the Rev. Arthur M. S. Stook, pastor of the First Congregational church, Reinbeck, Iowa.

Journal of February 26th corrected and approved.

## PETITIONS

The following petitions were presented and referred to the committee on schools and textbooks:

By Frahm of Carroll, from citizens of Glidden, protesting against the passage of a law making the reading of the Bible in public schools compulsory.

By Carter of Hardin, from citizens of Whitten, urging the passage of a law making the reading of the Bible in public schools compulsory.

By Healy of Hancock, presenting a resolution from the Farmers Grain Dealers Association of Iowa, favoring cooperative marketing, the McNary-Haugen bill in congress, opposing any increase in taxation and urging the legislature to restrict its work to code revision. Referred to the committee on agriculture.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Weber of Dubuque indefinitely, on request of O'Donnell of Dubuque; Bradley of Poweshlek for the day, on request of Donhowe of Story; Saunders of Palo Alto for the day, on request of Patterson of Kossuth; Quirk of Sac for the remainder of the week, on request of King of Clay; Hansen of Scott for the remainder of the week, on request of Elliott of Scott; Ramsey of Butler for the remainder of the week, on request of Vincent of Guthrie; Olson of Clinton for the forenoon, on request of Yenter of Johnson; Aiken of Ida for the remainder of the week, on request of Huff of Cass.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report:

**MR. SPEAKER:** Your joint committee on enrolled bills respectfully report it has examined, and finds correctly enrolled, Senate Files Nos. 39, 155, 265 and 149.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Gibson of Clarke, House File No. 142, a bill for an act to amend, revise, and codify chapter fourteen (14) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to county public hospitals and detention hospitals for contagious diseases, with Senate amendments, was taken up and the amendments read and considered.

## SENATE AMENDMENTS

Amend section 5 by striking out of lines 1 and 2 the following words: "upon the taxable property of the county,".

Also strike out of lines 3 and 4 the words "on the dollar".

Also strike out of line 5 the words "on the dollar required".

Amend by adding immediately following section 14, the following:

"Sec. 14-a1. Duty of trustees as to collections.

It shall be the duty of the trustees either by themselves or through the superintendent to make collections of all accounts for hospital services rendered for others than indigent patients. Such account shall be payable on presentation to the person liable therefor, of an itemized statement and if not paid or secured within sixty (60) days after such presentation the said trustees shall proceed to enforce collections by such legal proceedings as they may deem necessary. All legal services for such purpose shall be performed by the county attorney without additional compensation."

Amend section 18 by striking out of line 6 the words "of not to exceed" and inserting in lieu thereof the words "not exceeding".

Also by placing a period (.) after the word "mill" in line 7 and striking out all the remainder of said line including the period (.)

Amend section 28 by striking out all of the section after the period (.) following the word "annually" in line 5 and in lieu thereof insert the following: "The board shall make such levy as will pay the said bonds and interest thereon as they become due. Such funds shall be used for no other purpose."

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

On the question, "Shall the House concur?"

The ayes were:

Anderson of Webster	Gibson Gilbertson	Napier Natvig	Scott of Fremont Slemmons
Berry	Grimwood	Noble	Smith of Chickasaw
Blume	Harrison	O'Donnell	Smith of Lucas
Brady	Hattendorf	Oliver	Stock
Brittain	Healy	Ontjes	Stookesberry
Carter	Hempel	Parsons	Storey
Colbert	Hollis	Patterson	Strippel
Criswell	King	Powers	Ulstad
Dooley	Knutson	Rankin	Venard
Doolittle	Lake	Robson	Wamstad
Dotts	Letts	Rust	Williams
Edge	Lieberknecht	Sampson	Wilson
Edson	Long	Schirmer	Wolfe
Fackler	Matthiesen	Schulte	Mr. Speaker—65
Forsling	Miller	Scott of Appanoose	
Frahm	Moen		
Gesman			

The nays were, none.

Absent or not voting:

Aiken	Gallagher	Huff	Quirk
Blake	Garber of Adair	Johnson	Ramsey
Bradley	Garber of Floyd	Leonard	Rassler
Buffington	Gilbert	Lichty	Rewoldt
Children	Gilmore	Lovrien	Rhinehart
Clark	Graham	McClune	Rumley
Cole	Hansen	Mathews	Saunders
Dewar	Hauge	Olsen	Vincent
Diltz	Held	Orr	Weber
Donhowe	Henderson	Peterson	Yenter—43
Elliott	Himebauch	Potts	

The House concurred in the Senate amendments to House File No. 142.

#### BUSINESS PENDING

The House resumed consideration of Senate File No. 7, a bill for an act to amend, revise, and codify section ninety-four (94) of the compiled code of Iowa, relating to the duties of the Governor.

Amendment No. 2 offered by Clark of Linn was taken up and considered.

Mr. Clark moved the adoption of the amendment.

On the question "Shall amendment No. 2 offered by Clark of Linn be adopted?" a roll call was demanded.

The ayes were:

Blake	Elliott	Grimwood	Rust
Clark	Gallagher	Rankin	Vincent
Cole	Gilmore	Robson	Yenter—12

The nays were:

Anderson of	Gesman	Matthiesen	Scott of Fremont
Webster	Gibson	Miller	Slemmons
Blume	Gilbertson	Moen	Smith of
Brady	Graham	Napier	Chickasaw
Brittain	Harrison	Natvig	Smith of Lucas
Carter	Hattendorf	Noble	Stock
Children	Hauge	Oliver	Stookesberry
Colbert	Healy	Ontjes	Storcy
Criswell	Hempel	Orr	Strippel
Dewar	Henderson	Parsons	Ulstad
Donhowe	Huff	Patterson	Venard
Dooley	Johnson	Peterson	Wamstad
Dotts	Leonard	Rassler	Wilson
Edge	Lieberknecht	Sampson	Wolfe
Edson	Long	Schirmer	Mr. Speaker—66
Fackler	Lovrien	Schulte	
Frahm	McClune	Scott of	
Garber of Floyd	Mathews	Appanoose	

Absent or not voting:

Aiken	Gilbert	Letts	Rewoldt
Berry	Hansen	Lichty	Rhinehart
Bradley	Held	O'Donnell	Rumley
Buffington	Himebauch	Olson	Saunders
Diltz	Hollis	Potts	Weber
Doolittle	King	Powers	Williams—30
Forsling	Knutson	Quirk	
Garber of Adair	Lake	Ramsey	

Amendment No. 2 by Clark of Linn was rejected.

Amendment No. 3 offered by Clark of Linn was taken up and considered:

(3) Amend section sixteen (16) by inserting after the word "departments" in line three (3) thereof the following: ", the heads of all institutions under the state board of education and state board of control, and all taxpayers or associations of taxpayers desiring to be heard".

On motion of Mr. Clark the amendment was adopted.

Amendments Nos. 4 and 5 offered by Clark of Linn were taken up and considered.

Graham of Wapello moved the previous question as applied to amendments Nos. 4 and 5.

Motion prevailed.

On the question "Shall amendments Nos. 4 and 5 be adopted?" a roll call was demanded.

The ayes were:

Blake	Gallagher	McClune	Smith of
Clark	Gilbert	O'Donnell	Chickasaw
Colbert	Gilmore	Potts	Williams
Cole	Grimwood	Rankin	Yenter—24
Dewar	Hollis	Rhinehart	
Edson	Lake	Robson	
Forsling	Lichty	Rust	

The nays were:

Anderson of	Gesman	Mathews	Scott of
Webster	Gibson	Matthiesen	Appanoose
Berry	Gilbertson	Miller	Scott of Fremont
Blume	Graham	Moen	Slemmons
Brady	Harrison	Napier	Smith of Lucas
Brittain	Hattendorf	Natvig	Stock
Buffington	Hauge	Noble	Stookesberry
Carter	Healy	Oliver	Storey
Children	Hempel	Ontjes	Strippel
Criswell	Henderson	Orr	Ulstad
Donhowe	Huff	Parsons	Venard
Dooley	Johnson	Patterson	Wamstad
Doolittle	King	Peterson	Wilson
Dotts	Leonard	Rassler	Wolfe
Edge	Letts	Rewoldt	Mr. Speaker—67
Fackler	Lieberknecht	Sampson	
Frahm	Long	Schirmer	
Garber of Floyd	Lovrien	Schulte	

Absent or not voting:

Alken	Hansen	Powers	Vincent
Bradley	Held	Quirk	Weber—17
Diltz	Himebauch	Ramsey	
Elliott	Knutson	Rumley	
Garber of Adair	Olson	Saunders	

Amendments Nos. 4 and 5 were rejected.

Amendment No. 6 offered by Clark of Linn was taken up and considered:

(6) Amend by striking out section twenty-one (21) thereof and inserting in lieu thereof the following:

Sec. 21. Status of bills.

Said appropriation bills, when so transmitted, shall be introduced in both houses by the chairmen of the committees on appropriations, shall be read a first and second time, and be referred to the committee on appropriations in the respective houses.

On motion of Mr. Clark the amendment was adopted.

Amendments Nos. 7 and 8 offered by Clark of Linn were taken up and considered:

(7) Amend section twenty-three (23) by inserting before the period in line seven (7) the words "or of any standing committee in either house".

(8) Amend section twenty-four (24) by striking out of line two (2) the words "chief accountant", and inserting in lieu thereof the words "director of accountancy".

On motion of Mr. Clark the amendments were adopted.

By unanimous consent, amendments Nos. 9, 10 and 12 by Clark of Linn were withdrawn.

Lovrien of Humboldt offered the following amendment as a substitute for amendment No. 11 by Clark of Linn:

Amend section twenty-six (26) by striking out the word "goods" in line eighteen (18) thereof and inserting in lieu thereof the following: "all commodities".

On motion of Mr. Lovrien the amendment was substituted for amendment No. 11 by Clark of Linn.

On motion of Mr. Lovrien the substitute amendment was adopted.

By unanimous consent, amendments Nos. 13 and 14 by Clark of Linn were withdrawn.

Amendment No. 15 offered by Clark of Linn was taken up and considered:

(15) Amend section twenty-nine (29) by striking out the comma (,) after the word "assembly" in line three (3) and inserting a period in lieu thereof, and striking out the remainder of the section.

On motion of Mr. Clark the amendment was adopted.

The following amendment filed by Parsons of Calhoun was taken up and considered:

Amend section 63 of the substitute amendments proposed by the committee to Senate File No. 7 by striking out the said section and substituting in lieu thereof the following:

"The amendment, revision, and codification of the foregoing sections which embrace appropriations, is for the sole purpose of terminating said existing appropriations at the time indicated, and should any such appropriations as indicated in this act be in excess of those now authorized, they shall be reduced to said amount and in no case shall they be increased."

Harrison of Pottawattamie offered the following amendment to the amendment and moved its adoption:

Amend the amendment by Parsons of Calhoun by striking out the words "the foregoing" in the first line thereof and by inserting after the word "sections" in the first line thereof the following: "31 to 62-a5, inclusive."

Amendment to the amendment adopted.

On motion of Parsons of Calhoun the amendment proposed by him, as amended, was adopted.

Doolittle of Delaware offered the following amendment to the substitute amendments proposed by the committee and moved its adoption:

Amend the substitute amendments proposed by the committee by striking out of line three (3) of section twelve (12) the word "department" where the same appears the second time and inserting in lieu thereof the words "and judicial departments".

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Clark	Grimwood	O'Donnell	Schulte
Colbert	Healy	Ontjes	Slemmons
Cole	Henderson	Patterson	Smith of
Doolittle	Hollis	Fotts	Chickasaw
Dotts	Johnson	Powers	Stock
Edge	King	Rankin	Vincent
Edson	Knutson	Rhinehart	Williams
Gallagher	Ietts	Robson	Yenter—37
Garber of Adair	Lichty	Rust	
Gilbert	Matthiesen	Sampson	

The nays were:

Anderson of	Fackler	Lieberknecht	Rewoldt
Webster	Frahm	Long	Scott of
Blake	Garber of Floyd	Lovrien	Appanoose
Blume	Gosman	Mathews	Scott of Fremont
Brady	Gibson	Miller	Smith of Lucas
Brittain	Gilbertson	Moen	Stookesberry
Buffington	Harrison	Napier	Strippel
Carter	Hattendorf	Natvig	U'lstad
Children	Hauge	Orr	Wamstad
Criswell	Hempel	Parsons	Wilson
Donhowe	Huff	Peterson	Wolfe
Dooley	Leonard	Rassler	Mr. Speaker—46

Absent or not voting:

Alken	Gilmore	Noble	Schirmer
Berry	Graham	Oliver	Storey
Bradley	Hansen	Olson	Venard
Dewar	Held	Quirk	Weber—25
Diltz	Himebauch	Ramsey	
Elliott	Lake	Rumley	
Forsling	McClune	Saunders	

Amendment by Doolittle of Delaware was rejected.

Lovrien of Humboldt offered the following amendment to the substitute amendments proposed by the committee and moved its adoption:

Amend section 14 of the substitute amendments by inserting after the word "any" in line eleven (11) thereof the word "recommended".

Amendment adopted.

Children of Pottawattamie moved the previous question as applied to the substitute amendments proposed by the committee, and to the main bill.

Motion prevailed.

Moen of Lyon moved the adoption of the substitute amendments, proposed by the committee, and printed in bill form, as amended.

On the question "Shall the substitute amendments proposed by the committee, as amended, be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Garber of Adair	Long	Rust
Berry	Garber of Floyd	Lovrien	Sampson
Blake	Gesman	McClune	Schirmer
Blume	Gibson	Mathews	Schulte
Eady	Gilbert	Matthiesen	Scott of
Brittain	Gilbertson	Miller	Appanoose
Buffington	Gilmore	Moen	Scott of Fremont
Carter	Graham	Napier	Slemmons
Children	Grimwood	Natvig	Smith of
Clark	Harrison	Noble	Chickasaw
Colbert	Hattendorf	O'Donnell	Smith of Lucas
Criswell	Hauge	Oliver	Stock
Diltz	Healy	Olson	Stookesberry
Donhowe	Hempel	Ontjes	Storey
Dooley	Henderson	Orr	Strippel
Doolittle	Hollis	Parsons	Ulstad
Dotts	Huff	Patterson	Venard
Edge	Johnson	Peterson	Vincent
Edson	King	Potts	Wamstad
Elliott	Knutson	Powers	Williams
Fackler	Lake	Rankin	Wilson
Forsling	Leonard	Rassler	Wolfe
Frahm	Letts	Rewoldt	Yenter
Gallagher	Lichty	Rhinehart	Mr. Speaker—96
	Lieberknecht	Robson	

The nays were, none.

Absent or not voting:

Aiken	Dewar	Himebauch	Rumley
Bradley	Hansen	Quirk	Saunders
Cole	Held	Ramsey	Weber—12

The substitute amendments proposed by the committee to Senate File No. 7, as amended, were adopted.

Mr. Moen moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Gallagher	Lieberknecht	Robson
Berry	Garber of Adair	Long	Rust
Blake	Garber of Floyd	Lovrien	Sampson
Blume	Gesman	McClune	Schirmer
Brady	Gibson	Mathews	Schulte
Brittain	Gilbert	Matthiesen	Scott of
Buffington	Gilbertson	Miller	Appanoose
Carter	Gilmore	Moen	Scott of Fremont
Children	Graham	Napier	Slemmons
Clark	Grimwood	Natvig	Smith of
Colbert	Harrison	Noble	Chickasaw
Criswell	Hattendorf	O'Donnell	Smith of Lucas
Dewar	Hauge	Oliver	Stock
Diltz	Healy	Olson	Stookesberry
Donhowe	Hempel	Ontjes	Storey
Dooley	Henderson	Orr	Strippel
Doolittle	Hollis	Parsons	Ulstad
Dotts	Huff	Patterson	Venard
Edge	Johnson	Peterson	Vincent
Edson	King	Potts	Wamstad
Elliott	Knutson	Powers	Williams
Fackler	Lake	Rankin	Wilson
Forsling	Leonard	Rassler	Wolfe
Frahm	Letts	Rewoldt	Yenter
	Lichty	Rhinehart	Mr. Speaker—97

The nays were, none.

Absent or not voting:

Aiken	Hansen	Quirk	Saunders
Bradley	Held	Ramsey	Weber—11
Cole	Himebauch	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MOTION TO RECONSIDER LAID UPON TABLE

Harrison of Pottawattamie moved that the vote by which Sen-

ate File No. 7 passed the House be reconsidered, and that the motion to reconsider be laid upon the table.

On the question "Shall the motion to reconsider be laid upon the table?" a roll call was demanded.

The ayes were:

Anderson of Webster	Gallagher	Leonard	Robson
Herry	Garber of Adair	Letts	Rust
Blake	Garber of Floyd	Lichty	Schirmer
Blume	Gesman	Lieberknecht	Schulte
Brady	Gibson	Lovrien	Scott of
Brittain	Gilbertson	McClune	Appanoose
Buffington	Gillmore	Mathews	Scott of Fremont
Carter	Graham	Matthiesen	Slemmons
Children	Grimwood	Moen	Smith of
Colbert	Harrison	Napler	Chickasaw
Criswell	Hattendorf	Natvig	Smith of Lucas
Donhowe	Hauge	Olson	Stock
Dooley	Healy	Ontjes	Stookesberry
Doolittle	Hempel	Orr	Storey
Dotts	Henderson	Parsons	Strippel
Edge	Hollis	Peterson	Ulstad
Edson	Huff	Powers	Venard
Fackler	Johnson	Rankin	Wilson
Forsling	King	Rassler	Wolfe
Frahm	Knutson	Rewoldt	Mr. Speaker—80
	Lake	Rhinehart	

The nays were, none.

Absent or not voting:

Aiken	Gilbert	O'Donnell	Sampson
Bradley	Hansen	Oliver	Saunders
Clark	Held	Patterson	Vincent
Cole	Himebauch	Potts	Wamstad
Dewar	Long	Quirk	Weber
Diltz	Miller	Ramsey	Williams
Elliott	Noble	Rumley	Yenter—28

Motion prevailed and the motion to reconsider was laid upon the table.

#### REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 71

Robson of Greene from the conference committee on House File No. 71, submitted the following report:

MR. SPEAKER: Your conference committee to whom was referred House File No. 71, a bill for an act to amend, revise, and codify chapter twenty-two (22) of title eight (8) and sections thirty-one hundred forty-two (3142) and thirty-one hundred forty-three (3143) of the compiled code of Iowa, and sections thirty-one hundred thirty-nine-a one (3139-a1) to thirty-one hundred thirty-nine-a three (3139-a3), inclusive, thirty-one hundred thirty-nine-a three-a (3139-a3a), thirty-one hundred thirty-nine-a

four (3139-a4) to thirty-one hundred thirty-nine-a fourteen (3139-a14), inclusive, and thirty-one hundred forty (3140) of the supplement to said code, relating to neglected, disabled, and abandoned animals, animals running at large, estrays, dogs and the responsibility therefor, the licensing of dogs, the rights and duties resulting from such licensing or failure to license, and the payment of claims for damages done by dogs and wolves, beg leave to report it has had the same under consideration and recommends that the differences between the Senate and the House be compromised as follows:

1. That the Senate shall recede from its amendment to section 3.
2. That the Senate shall recede from its amendment to section 7.
3. That the House shall concur in the Senate amendment to section 11.
4. That the House shall concur in the Senate amendment to section 35.
5. That the Senate shall recede from its amendment to section 39.
6. That the Senate shall recede from its amendment to section 55.
7. That the Senate shall recede from its amendment to section 56.
8. That the House shall concur in the Senate amendment to section 59.
9. That the House shall concur in the Senate amendment to section 82.

PAUL N. ROBSON,  
W. C. CHILDREN,  
ALFRED WILLIAMS,  
C. R. BUFFINGTON.

*Conferees on the part of the House.*

JAS. F. JOHNSTON,  
E. M. SMITH,  
J. A. NELSON,

*Conferees on the part of the Senate.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files Nos. 30, 50 and 154.

C. F. LETTS, *Chairman House Committee.*  
F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 30, 50 and 154 and Senate Files Nos. 39, 155, 265 and 149 .

## 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. 292, a bill for an act to legalize the assessment and collection of certain taxes in Jackson township, Shelby county, Iowa, and to authorize the transfer of the proceeds thereof to the road funds of said township.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 46, a bill for an act relating to the bureau of labor and the labor commissioner, his deputies and inspectors, their duties and jurisdiction.

L. W. AINSWORTH, *Secretary*.

## SENATE AMENDMENTS TO HOUSE FILE NO. 46

Amend by striking out sections 1 and 2 and inserting in lieu thereof the following:

Section 1. Labor commissioner.

The bureau of labor shall be under the control of a labor commissioner, who shall have his office at the seat of government and shall devote his entire time to the duties of his office.

Sec. 2. Appointment.

The governor shall, within sixty days after the organization of the regular session of the general assembly in nineteen hundred twenty-five (1925) and each two years thereafter, appoint, with the approval of two-thirds ( $\frac{2}{3}$ ) of the members of the senate, a labor commissioner who shall serve for a period of two years from July first of the year of appointment.

Sec. 2-a1. Vacancies.

A vacancy in said position which may occur while the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty (30) days from the time the general assembly next convenes in regular session. Prior to the expiration of said thirty (30) days the governor shall transmit to the senate for its confirmation an appointment for the unexpired portion of the regular term. Vacancies occurring during a session of the general assembly shall be filled as regular appointments are filled and before the end of said session and for the unexpired portion of the regular term.

Sec. 2-a2. Temporary provision.

The incumbent of said position, at the time this chapter takes effect, shall continue to serve until July first, nineteen hundred twenty-five (1925).

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectively reports that it has, on this 27th day of February, 1924, sent to the Governor for his approval: House Files Nos. 30, 50 and 154.

C. F. LETTS, *Chairman House Committee.*

Report adopted.

On motion of Carter of Hardin the House adjourned until 2:00 p. m. today.

## AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

## CONSIDERATION OF BILLS

## SPECIAL ORDER NO. 2

House File No. 260, a bill for an act to amend, revise, and codify chapters two (2), three (3), four (4), and ten (10) of title six (6), and sections thirteen hundred thirty-five (1335) to thirteen hundred thirty-eight (1338), inclusive, thirteen hundred forty-six (1346) to thirteen hundred fifty-five (1355), inclusive, thirty-four hundred forty-seven (3447), thirty-four hundred forty-eight (3448), forty-one hundred fourteen (4114), forty-two hundred ten (4210), forty-two hundred eleven (4211), and forty-two hundred thirteen (4213) of the compiled code of Iowa, and chapters one (1) and five (5) of title six (6) of the compiled code of Iowa and the supplement to said code, and chapters one-A (1-A), four-A (4-A), nine-A (9-A), and eleven (11) of title six (6) of the supplement to the compiled code of Iowa, relating to public health, with report of committee recommending amendment and passage, was taken up for consideration.

The following amendments filed by Lake of Woodbury to the committee amendments were taken up and considered:

Amend the committee amendment to section one (1), subsection five (5), by inserting after the word "surgery" the following: ", osteopathy, or osteopathy and surgery".

Amend the committee amendment to section one (1), subsection five-a one (5-a1), by striking out the words "osteopathy and surgery, osteopathy, or".

Mr. Lake moved the adoption of the amendments to the committee amendments.

On the question "Shall the amendments by Lake of Woodbury to the committee amendments be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Dooley Forsling	Gilmore Healy	Rhinehart Scott of
Berry.	Frahm	Lake	Appanoose
Blake	Garber of Adair	O'Donnell	Smith of
Brittain	Gilbert	Ontjes	Lucas—17

The nays were:

Blume	Gibson	Miller	Schulte
Children	Gilbertson	Moen	Scott of Fremont
Clark	Grimwood	Napier	Smith of
Colbert	Harrison	Natvig	Chickasaw
Cole	Hattendorf	Oliver	Stookesberry
Criswell	Hempel	Olson	Storey
Donhowe	Henderson	Orr	Strippel
Doolittle	Hollis	Parsons	Venard
Dotts	Leonard	Patterson	Wilson
Edge	Letts	Peterson	Wolfe
Edson	Lichty	Powers	Yenter
Fackler	Lieberknecht	Rankin	Mr. Speaker—56
Gallagher	Long	Robson	
Garber of Floyd	Mathews	Sampson	
Gesman	Matthiesen	Schirmer	

Absent or not voting:

Aiken	Hansen	McClune	Saunders
Bradley	Hauge	Noble	Slemmons
Brady	Held	Potts	Stock
Buffington	Himebauch	Quirk	Ulstad
Carter	Huff	Ramsey	Vincent
Dewar	Johnson	Rassler	Wamstad
Diltz	King	Rewoldt	Weber
Elliott	Knutson	Rumley	Williams—35
Graham	Lovrien	Rust	

Amendments by Lake of Woodbury were rejected.

The following amendments filed by Grimwood of Jones to the committee amendments were taken up and considered:

Amend the committee amendments to House File No. 260 as follows:

Amend the amendment to section fourteen (14), subsection sixteen (16), by adding after the words "venereal diseases" the following: ", a division of housing,".

Also amend by striking out the amendment to section forty (40) and inserting in lieu thereof the following:

Section 40, lines 1 and 2, by striking out the period (.) after the

word "phys'cian" and inserting in lieu thereof the following: ", practitioner, or one specially trained in public hygiene and sanitation."

On motion of Mr. Grimwood the amendments to the committee amendments were adopted.

The amendments proposed by the committee and found in the Journal of February 19th were taken up and considered.

On request of Grimwood of Jones, unanimous consent having been obtained, the committee amendment to section two (2), line five (5), was withdrawn.

On motion of Grimwood of Jones the committee amendments, as amended, were adopted.

By unanimous consent the amendment filed by Lake of Woodbury on February 26th to House File No. 260 was withdrawn.

The following amendments filed by Knutson of Cerro Gordo were taken up and considered:

Amend House File No. 260 as follows:

(1) Section 14, subdivision 8, line 27, strike out the period and insert in lieu thereof the following: "in the manner prescribed in the following section."

Immediately after section 14 insert the following sections:

"Sec. 14-a1. Plumbing regulations.

The code of rules governing the installation of plumbing provided for in the preceding section shall be amended biennially as conditions may require. The necessary amendments shall be determined by a plumbing code committee which shall be appointed by the commissioner of public health on or before July first, nineteen hundred twenty-five (1925), and every six (6) years thereafter. Such committee shall consist of the engineer who is the head of the division of sanitary engineering, one manufacturer or wholesale dealer of plumbing materials, one master plumber, one journeyman plumber, and one city plumbing inspector. The engineer member shall be chairman of the committee.

Sec. 14-a2. Powers of plumbing committee.

The committee shall meet at the call of the chairman, which shall be issued during the month of December of each even-numbered year. It shall continue in session until it has agreed upon the amendments deemed necessary to the existing code governing the installation of plumbing. All such amendments shall be adopted and promulgated by the department.

Sec. 14-a3. Compensation and expenses of committee.

The members of the committee shall receive no compensation for their services, but they shall receive their necessary traveling and hotel expenses in discharging the duties prescribed in the preceding section.

Sec. 14-a4. Plumbing code revision fund.

Cities and towns licensing plumbers shall pay to the treasurer of state one dollar (\$1.00) for each license issued and twenty-five cents (25c) for each renewal thereof. The fees so received shall be kept by the treasurer in a separate fund to be known as the plumbing code fund. Such fund shall be used in paying the claims arising under the preceding section and in paying the cost of printing the code of rules governing the installation of plumbing."

(2) Amend by inserting preceding section 243 the following:

"Sec. 242-a3. Plumbing code committee.

The commissioner of public health shall, immediately upon the taking effect of this title, appoint a plumbing code committee under the provisions of chapter one (1) of this title. Said committee shall meet as soon as possible after its appointment and shall discharge the duties prescribed for such committee in said chapter. The committee provided for in this section shall cease to exist on July first, nineteen hundred twenty-five (1925) and shall be superseded by the committee appointed under chapter one (1) of this title.

Sec. 242-a4. Plumbing code fund.

Immediately upon the taking effect of this title the treasurer of state shall transfer the balance remaining in the plumbing inspection fund under the provisions of chapter three hundred seventy-eight (378), acts of the thirty-eighth general assembly, to the plumbing code fund provided in chapter one (1) of this title and said fund shall become available at once for the payment of the expenses of the committee provided for in the preceding section."

Children of Pottawattamie offered the following amendment to the amendments by Knutson of Cerro Gordo and moved its adoption:

Amend the amendments by Knutson of Cerro Gordo to section 14-a2 by striking therefrom the following: "All such amendments shall be adopted and promulgated by the department."

Amendment to the amendments adopted.

On motion of Knutson of Cerro Gordo the amendments proposed by him, as amended, were adopted.

By unanimous consent, the amendment filed by Garber of Floyd on February 20th was withdrawn.

The following amendment filed by Garber of Floyd was taken up and considered:

Amend House File No. 260, relating to public health, by inserting after section sixteen-a nine (16-a9) the following:

**"Sec. 16-a10. Violation of order—contempt.**

Failure to obey any order made by the department with reference to matters pertaining to the pollution of streams shall constitute contempt. In such event the department may certify to the district court of the county in which such disobedience shall occur, or to the district court of Polk county, the fact of such failure. The district court shall then proceed to hear and determine the matter and to punish for contempt to the same extent as though such failure were in connection with an order made by the district court which is made punishable by contempt. Any party found guilty of contempt under this section shall be fined not to exceed one thousand dollars (\$1000.00) or be imprisoned for failure to pay such fine. The penalties provided in this section shall be considered as additional to any penalty which may be imposed under the law relative to nuisances or any other statute relating to the pollution of streams, and a conviction under this section shall not be a bar to prosecution under any other penal statute.

On motion of Mr. Garber the amendment was adopted.

The following amendments filed by Fackler of Adams were taken up and considered:

Amend House File No. 260, section 129, subsection 1, line 7, by striking out the word "ward,".

Amend section 147, line 7, by striking out the words "a licensed" and inserting in lieu thereof the word "an".

Amend section 147-a2, line 12, by striking out the word "licensed".

Amend section 147-a6, line 1, by striking out the words "a licensed" and inserting in lieu thereof the word "an".

Amend section 202, subsection 1, line 5, by striking out the word "ward,".

On motion of Mr. Fackler the amendments were adopted.

Elliott of Scott offered the following amendment and moved its adoption:

Amend House File No. 260, section 27, line 14, by inserting after the word "of" the words "the following boards:".

On motion of Mr. Elliott the amendment was adopted.

Harrison of Pottawattamie offered the following amendment and moved its adoption:

Amend section 25 of House File No. 260 by inserting in line two (2) thereof after the word "appropriated" the following: ", for the biennium ending June thirtieth, nineteen hundred twenty-five (1925),".

Amendment adopted.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend House File No. 260, section 27, by striking therefrom all of subsections three (3), four (4), five (5) and six (6).

Children of Pottawattamie moved that further action on House File No. 260 be deferred.

Motion lost.

Strippel of Benton moved the previous question as applied to the amendment by Children of Pottawattamie and to the main bill.

Motion prevailed.

On the question "Shall the amendment by Children of Pottawattamie be adopted?" a roll call was demanded.

The ayes were:

Berry	Frahm	King	Orr
Blume	Gesman	Leonard	Rassler
Brady	Gilbertson	Miller	Rewoldt
Children	Harrison	Moen	Slemmons
Criswell	Hattendorf	Napier	Smith of Lucas
Dooley	Healy	Natvig	Stookesberry
Dotts	Huff	Ontjes	Ulstad—28

The nays were:

Brittain	Gilbert	McClune	Sampson
Carter	Gilmore	Mathews	Schirmer
Clark	Grimwood	Matthiesen	Scott of Fremont
Colbert	Hauge	O'Donnell	Smith of
Cole	Hempel	Oliver	Chickasaw
Donhowe	Henderson	Olson	Stock
Doolittle	Hollis	Parsons	Strippel
Edge	Johnson	Patterson	Venard
Elliott	Knutson	Peterson	Wilson
Forsling	Lake	Powers	Wolfe
Gallagher	Letts	Rankin	Yenter
Garber of Adair	Lichty	Rhinehart	Mr. Speaker—52
Garber of Floyd	Lieberknecht	Robson	
Gibson	Long		

Absent or not voting:

Aiken	Edson	Potts	Scott of
Anderson of	Fackler	Quirk	Appanoose
Webster	Graham	Ramsey	Storey
Blake	Hansen	Rumley	Vincent
Bradley	Held	Rust	Wamstad
Ruffington	Himebauch	Saunders	Weber
Dewar	Lovrien	Schulte	Williams—28
Diltz	Noble		

Amendment rejected.

Grimwood of Jones moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Garber of Adair Garber of Floyd	Long Lovrien	Rust Sampson
Berry	Gesman	McClune	Schirmer
Blume	Gibson	Mathews	Schulte
Brady	Gilbert	Matthiesen	Slemmons
Brittain	Gilbertson	Miller	Smith of
Carter	Graham	Moen	Chickasaw
Children	Grimwood	Napler	Smith of Lucas
Clark	Harrison	Natvig	Stock
Colbert	Hattendorf	O'Donnell	Stookesberry
Cole	Hauge	Oliver	Storey
Criswell	Hempel	Olson	Strippel
Dewar	Henderson	Ontjes	Ulstad
Donhowe	Hollis	Orr	Venard
Doolittle	Johnson	Parsons	Vincent
Dotts	King	Patterson	Wamstad
Edge	Lake	Peterson	Wilson
Elliott	Leonard	Powers	Wolfe
Forsling	Letts	Rankin	Yenter
Frahm	Lichty	Rhinehart	Mr. Speaker—81
Gallagher	Lieberknecht	Robson	

The nays were, none.

Absent or not voting:

Aiken	Fackler	Knutson	Rumley
Blake	Gilmore	Noble	Saunders
Bradley	Hansen	Potts	Scott of
Buffington	Healy	Quirk	Appanoose
Diltz	Held	Ramsey	Scott of Fremont
Dooley	Himebauch	Rassler	Weber
Edson	Huff	Rewoldt	Williams—27

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### REPORT OF COMMITTEE

Carter of Hardin, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks, to whom was referred Senate File No. 101, a bill for an act to amend, revise, and codify sections two thousand five hundred thirty-five (2535) to two thousand five hundred thirty-seven (2537), inclusive, two thousand five hundred forty-two (2542) to two thousand five hundred forty-four (2544), inclusive, two thousand five hundred forty-nine (2549) to two thousand five hundred fifty-three (2553), inclusive, two thousand five hundred fifty-seven (2557), two thousand five hundred fifty-nine (2559), two thousand five hundred sixty (2560), and two thousand five hundred sixty-seven

(2567) of the compiled code of Iowa, and sections two thousand five hundred forty-five-a one (2545-a1) to two thousand five hundred forty-five-a four (2545-a4), inclusive, two thousand five hundred fifty-eight-a one (2558-a1), and two thousand five hundred seventy-eight (2578) of the supplement to said code, relating to education and to provide tuition for children in certain charitable 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, and when so amended the bill do pass:

(1) Amend section 22 by striking out the period at the end of line four (4) and inserting in lieu thereof the following: ", but the board may authorize any subdirector to employ teachers for the school in his subdistrict".

(2) Amend section 24 by striking the comma following the word "year" in line 3 and inserting in lieu thereof a period (.)

Also amend by striking the words "after which" in line 3 and inserting in lieu thereof the following: "After serving at least seven months".

(3) Amend section 37 by adding at the end of the section as it appears in the printed bill the following:

"No such certificate or affidavit shall be required for admission to the high school in any school corporation when he has finished the common school branches in the same corporation."

L. V. CARTER, *Chairman.*

Report adopted.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he, on February 26th, approved the following bills: House Files Nos. 20, 130, 168, 188, 250 and 293.

#### AMENDMENTS FILED

Ontjes of Grundy filed the following amendments to House File No. 211:

Amend House File No. 211 by adding thereto the following sections:

Sec. 6. Whenever the executive council of the state is satisfied that an unlawful combination, pool or trust exists, whereby the free action of competition in the buying or selling of any article of commerce is restrained or prevented in this state, or whenever said council is satisfied that exorbitant and extortionate prices are being charged and received for essential products, such as food, fruit, gas, oil, coal, water and ice, said council is empowered to purchase such articles of commerce at wholesale or retail, and to sell the same at wholesale or retail within the state of Iowa at cost, plus the reasonable and necessary expense of handling.

Sec. 7. Whenever the council of any city or town is satisfied that an unlawful combination, pool or trust exists, whereby the free action of

competition in the buying or selling of any article of commerce is restrained or prevented within such city or town, or whenever said council is satisfied that exorbitant and extortionate prices are being charged and received for essential products, such as food, fruit, gas, oil, coal, water and ice, said council is empowered to purchase such articles of commerce and products at wholesale or retail, and to sell the same at wholesale or retail in such city or town either at the public market or at such place or places as such council may designate, such sale to be made at cost, plus all reasonable and necessary expense of handling.

Sec. 8. Purchases made by the executive council shall be paid for out of any unappropriated funds in the state treasury. Purchases made by the city or town council shall be paid for out of the general fund of the city or town, and such city or town for such purpose is authorized to use its credit and to anticipate its general fund for the purpose of securing the immediate funds necessary to make such purchases.

Sec. 9. Prior to making any purchase under the last three preceding sections, the executive council or the council of a city or town, as the case may be, shall adopt and make of record in the minutes of its official proceedings such rules and regulations as will insure a strict accounting for all moneys employed in such purchases and sales, and the replacement of any unexpended balance of such funds and any accumulation of the same in the funds from which drawn.

Sec. 10. The executive council, or the council of a city or town, as the case may be, shall have the power to cause the examination of the books, records and papers of any person, firm or corporation that it believes is violating the law against combinations, pools or trusts, or is charging and receiving exorbitant and extortionate prices for essential products such as are referred to in sections six and seven hereof, for the purpose of ascertaining the facts as to such violation, and as to the wholesale, factory or mine prices of any article of commerce, and whether there exists any such unlawful combination, pool or trust, or the charging and receiving of exorbitant and extortionate prices, and for that purpose to issue subpoenas requiring the attendance of witnesses and the production of books or papers. Such subpoenas shall be issued over the signature of the presiding officer of the executive council, or the council of a city or town, except where there are other express provisions of law covering the manner of the issuance of subpoenas by either of such bodies.

Brittain of Madison moved that the House adjourn until 9:00 a. m. Thursday.

Motion prevailed.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, FEBRUARY 28, 1924.

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

Prayer was offered by the Rev. Henry McCraven of the Union Congregational church, Des Moines, Iowa.

Journal of February 27th corrected and approved.

## REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 230, a bill for an act to amend, revise, and codify sections seventy-three hundred sixty-two (7362), seventy-three hundred ninety-two (7392) to seventy-three hundred ninety-four (7394), inclusive, seventy-three hundred ninety-six (7396) and seventy-three hundred ninety-eight (7398) of the compiled code of Iowa, relating to evidence, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking out all of section five (5).

C. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 295, a bill for an act to legalize the official acts of Laura Smith Day, of Wapello county, Iowa, as notary public, beg leave to report they have had 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. F. CLARK, *Chairman*.

Report adopted.

## SPECIAL ORDERS MADE

On request of Carter of Hardin, unanimous consent having been

obtained, Senate File No. 85 was made a special order for Friday, March 7th, at 10:30 a. m.

On request of Children of Pottawattamie, unanimous consent having been obtained, House File No. 261 was made a special order for Thursday, March 6th, at 10:00 a. m.

On request of Grimwood of Jones, unanimous consent having been obtained, House File No. 261-A was made a special order for Thursday, March 6th, at 11:00 a. m.

On request of Parsons of Calhoun, unanimous consent having been obtained, House No. 185 was made a special order for Thursday, March 6th, at 2:00 p. m.

#### SENATE FILE NO. 7 ORDERED PRINTED

Hauge of Polk moved that 500 copies of Senate File No. 7, as amended by the House, be ordered printed.

Motion prevailed.

#### COMMUNICATION FROM THE GOVERNOR

A communication was received from the Governor announcing that he had, on February 27th, approved House Files Nos. 30, 50 and 154.

#### AMENDMENTS FILED

Doolittle of Delaware filed the following amendments to the Senate amendments to House File No. 256:

Amend the Senate amendments to House File No. 256 as same are found on page 892 of the House Journal, as follows:

(1) By inserting after the word "court" in line 2 of section 7-a2 a comma (,).

(2) Amend section 7-a2 by inserting after the word "or" in line 2 thereof, the word "by".

(3) Amend section 7-a2 by striking out of line 4 thereof the words "or judge".

Brittain of Madison filed the following amendment to the committee amendments to Senate File No. 85:

Amend the committee amendments to Senate File No. 85, by substituting for the amendment to section eight (8) the following:

"The Bible shall not be excluded from any public school or institution

in the state, provided, however, no child shall be required to read the Bible contrary to the wishes of his parent or guardian.

The board of directors of every school corporation shall, at the regular annual meeting, or at any special meeting:

1. By resolution provide that passages from the Bible shall be read by the teacher of every school or class room within the district, or

2. By resolution provide that the teacher of each school or class room within the district may in the discretion of such teacher read passages from the Bible to the pupils of such teacher.

Boards of directors shall determine which of the two methods shall be adopted, and shall provide rules and regulations to carry into effect the provisions of the particular resolution adopted by them. The resolution so adopted shall continue in effect until revoked or changed by subsequent action of the same or a succeeding board."

Schulte of Worth moved that the House now adjourn.

Motion prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 5, 1924.

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

Prayer was offered by the Rev. J. Frank Moore, pastor of the First Congregational church, Manchester, Iowa.

Journal of February 28th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence for the day was granted as follows: Lieberknecht of Louisa on request of Wilson of Tama; Scott of Appanoose on request of Stookesberry of Davis; Noble of Muscatine on request of Gilbertson of Winneshiek; King of Clay on request of Quirk of Sac; Dooley of Van Buren on request of Slemmons of Buchanan; Rewoldt of Bremer on request of Criswell of Boone; Stock of Allamakee on request of Strippel of Benton; Edson of Buena Vista on request of Dotts of Wayne; Natvig of Howard on request of Gilbertson of Winneshiek; Peterson of Henry on request of Patterson of Kossuth; Lichty of Black Hawk on request of Hollis of Black Hawk; Graham of Wapello on request of Rassler of Pocahontas; Potts of Lee on request of Miller of Shelby; Ramsey of Butler on request of Yenter of Johnson; Blake of Fayette on request of Oliver of Monona; Letts of Washington on request of Long of Jefferson; O'Donnell and Weber of Dubuque on request of Miller of Shelby.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files Nos. 2, 68-A, 170 and 228.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the

House, he had signed in the presence of the House, the following bills: House Files Nos. 2, 68-A, 170 and 228.

#### SPECIAL ORDER MADE

On request of Clark of Linn, unanimous consent having been obtained, House File No. 211 was made a special order for Tuesday, March 11th, at 10:00 a. m.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Doolittle of Delaware, House File No. 256, a bill for an act to amend, revise, and codify sections sixty-six hundred forty-five (6645) and sixty-six hundred seventy-one (6671) of the compiled code of Iowa, and sections sixty-six hundred fifty-two (6652), sixty-six hundred seventy (6670), seventy-eight hundred forty-eight (7848), and seventy-eight hundred forty-eight-a one (7848-a1) of the supplement to said code, relating to the appointment and bonds of guardians, and to the sale or mortgage of the property of persons under guardianship, and of persons deceased, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend section 5 by inserting after the word "served" in line 3 the words "unless otherwise provided".

Amend by striking from section 7 the following:

"The petition may be presented to the judge, who may appoint a temporary guardian. Such appointment shall continue only until the adjournment of the next term of the district court."

Amend by striking out all of section 7 after the word "defendant" in line 5, and change the comma (,) to a period (.).

Amend by adding immediately after section 7 the following:

"Sec. 7-a1. Temporary guardian.

A temporary guardian may be appointed but only after a hearing on such notice to the defendant and on such service of said notice as the court or judge shall prescribe.

Sec. 7-a2. Trial.

An issue arising on a prayer for the appointment of a temporary guardian shall be tried by the court or a judge in vacation. An issue arising on the prayer for the appointment of a permanent guardian shall be tried by the court or judge unless a jury be demanded by either party.

Sec. 7-a3. Effect of appointment.

If a permanent guardian be appointed, all contracts or business trans-

actions of the defendant after the filing of the petition shall be presumed to be a fraud against the rights and interests of the defendant."

Amend section 8 by inserting after the word "served" in line 3 the words "unless otherwise provided".

The following amendments filed by Doolittle of Delaware to the Senate amendments were taken up and considered:

Amend the Senate amendments to House File No. 256 as same are found on page 892 of the House Journal, as follows:

(1) By inserting after the word "court" in line 2 of section 7-a2 a comma (,).

(2) Amend section 7-a2 by inserting after the word "or" in line 2 thereof, the word "by".

(3) Amend section 7-a2 by striking out of line 4 thereof the words "or judge".

On motion of Mr. Doolittle the amendments to the Senate amendments were adopted.

Mr. Doolittle moved that the House concur in the Senate amendments as amended.

On the question "Shall the House concur?"

The ayes were:

Aiken	Gilbert	Mathews	Stemmons
Anderson	Gilbertson	Miller	Smith
of Webster	Gilmore	Moen	of Chickasaw
Berry	Grimwood	Napier	Smith of Lucas
Bradley	Hansen	Oliver	Stookesberry
Brady	Harrison	Olson	Storey
Brittain	Hattendorf	Ontjes	Strippel
Clark	Held	Orr	Ulstad
Colbert	Hempel	Parsons	Venard
Criswell	Henderson	Patterson	Vincent
Dewar	Hollis	Powers	Wamstad
Doolittle	Huff	Quirk	Williams
Dotts	Johnson	Rankin	Wilson
Edge	Knutson	Rassler	Wolfe
Fackler	Leonard	Rust	Yenter
Garber of Adair	Long	Sampson	Mr. Speaker—68.
Gesman	Lovrien	Saunders	
Gibson	McClune	Scott of Fremont	

The nays were, none.

Absent or not voting:

Blake	Donhowe	Garber of Floyd	Letts
Blume	Dooley	Graham	Lichty
Buffington	Edson	Hauge	Lieberknecht
Carter	Elliott	Healy	Matthiesen
Children	Forsling	Himebauch	Natvig
Cole	Frahm	King	Noble
Diltz	Gallagher	Lake	O'Donnell

Peterson	Rhinehart	Schulte	Weber—40.
Potts	Robson	Stock	
Ramsey	Rumley	Scott	
Rewoldt	Schirmer	of Appanoose	

The House concurred in the Senate amendments, as amended, to House File No. 256.

#### CONSIDERATION OF BILLS

House File No. 294, a bill for an act to legalize the transfer of funds by the city council of the city of Oskaloosa, with report of committee recommending passage, was taken up for consideration.

McClune of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gibson	Mathews	Scott of Fremont
Anderson	Gilbert	Miller	Slemmons
of Webster	Gilbertson	Moen	Smith
Berry	Gilmore	Napier	of Chickasaw
Blume	Grimwood	Oliver	Smith of Lucas
Bradley	Hansen	Olson	Stookesberry
Brady	Harrison	Ontjes	Storey
Brittain	Hattendorf	Orr	Strippel
Clark	Held	Parsons	Ulstad
Cole	Hempel	Patterson	Venard
Criswell	Henderson	Powers	Vincent
Dewar	Hollis	Quirk	Wamstad
Doolittle	Huff	Rankin	Williams
Dotts	Johnson	Rust	Wilson
Edge	Knutson	Sampson	Wolfe
Fackler	Long	Saunders	Yenter
Garber of Adair	Lovrien	Schirmer	Mr. Speaker—69.
Gesman	McClune	Schulte	

The nays were, none.

Absent or not voting:

Blake	Forsling	Leonard	Ramsey
Buffington	Frahm	Letts	Rassler
Carter	Gallagher	Lichty	Rewoldt
Children	Garber of Floyd	Lieberknecht	Rhinehart
Colbert	Graham	Matthiesen	Robson
Diltz	Hauge	Natvig	Rumley
Donhowe	Healy	Noble	Scott
Dooley	Himebauch	O'Donnell	of Appanoose
Edson	King	Peterson	Stock
Elliott	Lake	Potts	Weber—39.

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 9, a bill for an act to amend, revise, and codify sections one hundred forty-four (144), one hundred forty-six (146) to one hundred forty-nine (149), inclusive, one hundred fifty-one (151), one hundred fifty-three (153) to one hundred sixty (160), inclusive, of the compiled code of Iowa, and section one hundred fifty (150) of the supplement to said code, relating to appropriations and the drawing and expenditure thereof, and to certain powers and duties of the treasurer of state, and to the security of the public funds, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of McClune of Mahaska the amendments proposed by the committee, found in the Journal of February 23d, were adopted.

Mr. McClune moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Adair	McClune	Schirmer
Anderson	Gesman	Mathews	Schulte
of Webster	Gibson	Miller	Scott of Fremont
Berry	Gilbertson	Moen	Slemmons
Blume	Gilmore	Napier	Smith
Bradley	Grimwood	Oliver	of Chickasaw
Brady	Hansen	Olson	Smith of Lucas
Brittain	Harrison	Ontjes	Stokesberry
Cole	Hattendorf	Orr	Storey
Criswell	Held	Parsons	Strippel
Dewar	Hempel	Patterson	Ulstad
Diltz	Henderson	Powers	Venard
Doolittle	Huff	Quirk	Vincent
Dotts	Johnson	Rankin	Wamstad
Edge	Knutson	Rassler	Wilson
Elliott	Leonard	Rust	Wolfe
Fackler	Long	Sampson	Yenter
Gallagher	Lovrien	Saunders	Mr. Speaker—70

The nays were, none.

Absent or not voting:

Blake	Dooley	Hauge	Lichty
Buffington	Edson	Healy	Lieberknecht
Carter	Forsling	Himebauch	Matthiesen
Children	Frahm	Hollis	Natvig
Clark	Garber of Floyd	King	Noble
Colbert	Gilbert	Lake	O'Donnell
Donhowe	Graham	Letts	Peterson

Potts  
Ramsey  
Rewoldt

Rhinehart  
Robson  
Rumley

Scott  
of Appanoose  
Stock

Weber  
Williams—38.

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 287, a bill for an act to appropriate sufficient funds to pay the drainage assessments and accrued interest against the state in connection with the drainage of Tow Head Lake in Calhoun county, and to make the amount of such assessments and interest a lien against said lands in case the state is found not to be the owner thereof, with report of committee on appropriations recommending amendment and passage, was taken up for consideration.

On motion of Parsons of Calhoun the amendments proposed by the committee, found in the Journal of February 25th, were adopted.

Mr. Parsons moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson  
of Webster  
Berry  
Blume  
Bradley  
Criswell  
Diltz  
Dotts  
Edge  
Elliott  
Gallagher  
Garber of Adair  
Gesman  
Gibson  
Gilbertson

Gilmore  
Grimwood  
Harrison  
Hattendorf  
Healy  
Held  
Hempel  
Henderson  
Hollis  
Huff  
Johnson  
Knutson  
Leonard  
Long  
Lovrien

McClune  
Mathews  
Moen  
Napier  
Olson  
Ontjes  
Orr  
Parsons  
Patterson  
Powers  
Quirk  
Rankin  
Sampson  
Saunders  
Schirmer

Schulte  
Scott of Fremont  
Stemmons  
Smith of Lucas  
Storey  
Strippel  
Ulstad  
Venard  
Vincent  
Wamstad  
Williams  
Wolfe  
Yenter  
Mr. Speaker—58

The nays were:

Brittain  
Doolittle  
Miller

Oliver  
Rust

Smith of  
Chickasaw

Stokesberry  
Wilson—8

Absent or not voting:

Aiken  
Blake  
Brady  
Buffington

Carter  
Children  
Clark  
Colbert

Cole  
Dewar  
Donhowe  
Dooley

Edson  
Fackler  
Forsling  
Frahm

Garber of Floyd	Lake	O'Donnell	Robson
Gilbert	Letts	Peterson	Rumley
Graham	Lichty	Potts	Scott of
Hansen	Lieberknecht	Ramsey	Appanoose
Hauge	Matthiesen	Rassler	Stock
Himebauch	Natvig	Rewoldt	Weber—42
King	Noble	Rhinehart	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 33, a bill for an act to amend, revise, and codify section 638 of the compiled code of Iowa, relating to the release of sureties on bonds required by law, with report of committee on judiciary recommending amendment and passage, was taken up for consideration.

On motion of Storey of Warren the amendments proposed by the committee, found in the Journal of February 23d, were adopted.

Mr. Storey moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Floyd	Lovrien	Schirmer
Anderson	Gesman	McClune	Schulte
of Webster	Gibson	Mathews	Scott of Fremont
Berry	Gilbert	Miller	Slemmons
Blume	Gilbertson	Moen	Smith
Bradley	Grimwood	Napier	of Chickasaw
Brady	Harrison	Oliver	Smith of Lucas
Brittain	Hattendorf	Olson	Stookesberry
Clark	Healy	Ontjes	Storey
Criswell	Held	Orr	Strippel
Dewar	Hempel	Parsons	Ulstad
Diltz	Henderson	Patterson	Venard
Doolittle	Hollis	Powers	Vincent
Dotts	Huff	Quirk	Wamstad
Edge	Johnson	Rankin	Williams
Elliott	Knutson	Rassler	Wilson
Forsling	Lake	Rust	Wolfe
Gallagher	Leonard	Sampson	Yenter
Garber of Adair	Long	Saunders	Mr. Speaker—74.

The nays were, none.

Absent or not voting:

Blake	Colbert	Edson	Graham
Buffington	Cole	Fackler	Hansen
Carter	Donhowe	Frahm	Hauge
Children	Dooley	Gilmore	Himebauch

King	Natvig	Ramsey	Scott
Letts	Noble	Rewoldt	of Appanoose
Lichty	O'Donnell	Rhinehart	Stock
Lieberknecht	Peterson	Robson	Weber—34.
Matthiesen	Potts	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File No. 190, a bill for an act to amend, revise, and codify sections forty-nine hundred eighty-two (4982), fifty hundred two (5002) to fifty hundred seven (5007), inclusive, fifty hundred twelve (5012), fifty hundred thirteen (5013), fifty hundred fifty-one (5051), fifty hundred fifty-two (5052), fifty hundred sixty-five (5065), fifty hundred seventy-two (5072), fifty hundred seventy-four (5074), fifty hundred seventy-five (5075), fifty hundred seventy-eight (5078), fifty hundred eighty (5080) to fifty hundred eighty-five (5085), inclusive, fifty-one hundred one (5101) to fifty-one hundred three (5103), inclusive, fifty-one hundred five (5105) to fifty-one hundred seven (5107), inclusive, fifty-one hundred seventy-one (5171), fifty-one hundred seventy-two (5172) of the compiled code of Iowa, and fifty-one hundred seventy-two-a one (5172-a1) to fifty-one hundred seventy-two-a four (5172-a4), inclusive, of the supplement to said code, relating to the construction and operation of railways, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Lake of Woodbury the amendments proposed by the committee, found in the Journal of February 26th, were adopted.

Mr. Lake moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Clark	Fackler	Gilbertson
Anderson	Cole	Forsling	Gilmore
of Webster	Crisswell	Gallagher	Grinwood
Berry	Dewar	Garber of Adair	Hansen
Blume	Doolittle	Garber of Floyd	Harrison
Bradley	Dotts	Gesman	Hattendorf
Brady	Edge	Gibson	Hempel
Brittain	Elliott	Gilbert	Henderson

Hollis	Moen	Rust	Storey
Huff	Napier	Sampson	Strippel
Johnson	Olson	Saunders	Ulstad
Knutson	Ontjes	Schirmer	Venard
Lake	Orr	Schulte	Wamstad
Leonard	Parsons	Scott of Fremont	Williams
Long	Patterson	Slemmons	Wilson
Lovrien	Powers	Smith	Wolfe
McClune	Quirk	of Chickasaw	Yenter
Mathews	Rankin	Smith of Lucas	Mr. Speaker—'73.
Miller	Rassler	Stookesberry	

The nays were:

Oliver—1.

Absent or not voting:

Blake	Frahm	Lieberknecht	Rhinehart
Buffington	Graham	Matthiesen	Robson
Carter	Hauge	Natvig	Rumley
Children	Healy	Noble	Scott
Colbert	Held	O'Donnell	of Appanoose
Diltz	Himebauch	Peterson	Stock
Donhowe	King	Potts	Vincent
Dooley	Letts	Ramsey	Weber—34.
Edson	Lichty	Rewoldt	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 295, a bill for an act to legalize the official acts of Laura Smith Day, of Wapello county, Iowa, as notary public, with report of committee recommending passage, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson	Fackler	Held	Moen
of Webster	Forsling	Hempel	Napier
Blume	Gallagher	Henderson	Oliver
Bradley	Garber of Adair	Hollis	Olson
Brady	Garber of Floyd	Huff	Ontjes
Brittain	Gesman	Johnson	Orr
Clark	Gibson	Knutson	Parsons
Cole	Gilbert	Lake	Patterson
Criswell	Gilmore	Leonard	Powers
Dewar	Grimwood	Long	Quirk
Doolittle	Hansen	Lovrien	Rankin
Dotts	Harrison	McClune	Rassler
Edge	Hattendorf	Mathews	Rust
Elliott	Healy	Miller	Sampson

Saunders	Smith	Strippel	Wilson
Schirmer	of Chickasaw	Ulstad	Wolfe
Schulte	Smith of Lucas	Venard	Yenter
Scott of Fremont	Stookesberry	Vincent	Mr. Speaker—73.
Stemmons	Storey	Wamstad	

The nays were, none.

Absent or not voting:

Aiken	Dooley	Lichty	Rewoldt
Berry	Edson	Lieberknecht	Rhinehart
Blake	Frahm	Matthiesen	Robson
Buffington	Gilbertson	Natvig	Rumley
Carter	Graham	Noble	Scott
Children	Hauge	O'Donnell	of Appanoose
Colbert	Himebauch	Peterson	Stock
Diltz	King	Potts	Weber
Donhowe	Letts	Ramsey	Williams—35.

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this fifth day of March, 1924, sent to the Governor for his approval:

House Files Nos. 2, 68-A, 170 and 228.

C. F. LETTS, *Chairman*.

Report adopted.

#### PROOF OF PUBLICATION OF SENATE FILE NO. 300

The official proof of publication of Senate File No. 300, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Calhoun county, Iowa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

#### AMENDMENTS FILED

Williams of Montgomery filed the following amendment to the committee amendments to Senate File No. 85:

Amend the committee amendments to Senate File No. 85 by striking out all of section eight (8) after the word "guardian" in line five (5).

Knutson of Cerro Gordo filed the following amendment to Senate File No. 101:

Amend Senate File No. 101 by striking the word "shall" as it appears in line eight (8) of section thirty-four (34) and inserting in lieu thereof the word "may".

On motion of Gilbertson of Winneshick the House adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 6, 1924.

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

Prayer was offered by the Rev. William Wilson, pastor of the Congregational church, Sloan.

Journal of March 5th corrected and approved.

## PETITIONS

The following petitions urging the passage of a law providing for compulsory reading of the Bible in public schools were presented and referred to the committee on schools and textbooks:

By Colbert of Union, from citizens of Lorimor.

By Parsons of Calhoun, from citizens of Lake City.

Venard of Sioux presented a petition from citizens of Harwarden, protesting against the passage of a law providing for compulsory reading of the Bible in public schools. Referred to committee on schools and textbooks.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Edson of Buena Vista for the day, on request of Dotts of Wayne; Stock of Allamakee indefinitely, on request of Strippel of Benton; Rewoldt of Bremer for the day, on request of Criswell of Boone; Matthiesen of Clinton for the remainder of the week, on request of Ontjes of Grundy; Natvig of Howard for the day, on request of Gilbertson of Winneshiek; King of Clay for the day, on request of Quirk of Sac; Scott of Appanoose for the day, on request of Stookesberry of Davis; Blake of Fayette for the day, on request of Johnson of Dickinson.

## REPORT OF COMMITTEE

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 300, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Calhoun 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.

C. F. CLARK, *Chairman.*

Report adopted.

#### REPORT OF CONFERENCE COMMITTEE CONSIDERED

The report of the conference committee on House File No. 71, found in the House Journal of February 27th, was taken up and considered.

Robson of Greene moved that the report of the conference committee be adopted and that the House concur in the Senate amendments proposed in said conference committee report.

On the question "Shall the report of the conference committee be adopted and the House concur in the Senate amendments proposed in said conference committee report?"

The ayes were:

Aiken	Garber of Adair	Lieberknecht	Rumley
Anderson of	Garber of Floyd	Long	Rust
Webster	Gesman	Lovrien	Sampson
Berry	Gibson	McClune	Saunders
Blume	Gilbertson	Mathews	Schirmer
Bradley	Gilmore	Miller	Schulte
Brady	Graham	Moen	Scott of Fremont
Brittain	Grimwood	Napier	Slemmons
Carter	Harrison	Noble	Smith of
Clark	Hattendorf	O'Donnell	Chickasaw
Colbert	Healy	Oliver	Smith of Lucas
Cole	Held	Ontjes	Stookesberry
Criswell	Hempel	Orr	Storey
Dewar	Henderson	Parsons	Strippel
Diltz	Himebauch	Patterson	Ulstad
Dooley	Hollis	Peterson	Venard
Doolittle	Huff	Powers	Vincent
Dotts	Johnson	Quirk	Wamstad
Edge	Knutson	Ramsey	Williams
Fackler	Lake	Rankin	Wilson
Forsling	Leonard	Rassler	Wolfe
Frahm	Letts	Rhinehart	Yenter
Gallagher	Lichty	Robson	Mr. Speaker—90

The nays were:

Donhowe—1

## Absent or not voting:

Blake	Gilbert	Natvig	Scott of
Buffington	Hansen	Olson	Appanoose
Children	Hauge	Potts	Stock
Edson	King	Rewoldt	Weber—17
Elliott	Matthiesen		

The report of the conference committee was adopted and the House concurred in the Senate amendments proposed in said conference committee report to House File No. 71.

## INTRODUCTION OF BILL

By unanimous consent the rule prohibiting the introduction of bills at this time was suspended and the following bill was introduced:

House File No. 296, by committee on code revision, a bill for an act to amend, revise, and codify section one (1) of chapter 261 acts of the Fortieth General Assembly, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

## CONSIDERATION OF SENATE AMENDMENTS

On request of O'Donnell of Dubuque, House File No. 46, a bill for an act to amend, revise, and codify sections eight hundred seventy-three (873) to eight hundred eighty (880), inclusive, of the compiled code of Iowa, and section eight hundred eighty-one (881) of the supplement to said code, relating to the bureau of labor and the labor commissioner, his deputies and inspectors, their duties and jurisdiction, with Senate amendments, was taken up and the amendments read and considered.

## SENATE AMENDMENTS

Amend by striking out sections 1 and 2 and inserting in lieu thereof the following:

## Section 1. Labor commissioner.

The bureau of labor shall be under the control of a labor commissioner, who shall have his office at the seat of government and shall devote his entire time to the duties of his office.

## Sec. 2. Appointment.

The governor shall, within sixty days after the organization of the regular session of the general assembly in nineteen hundred twenty-five

(1925) and each two years thereafter, appoint, with the approval of two-thirds ( $\frac{2}{3}$ ) of the members of the senate, a labor commissioner who shall serve for a period of two years from July first of the year of appointment.

Sec. 2-a1. Vacancies.

A vacancy in said position which may occur while the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty (30) days from the time the general assembly next convenes in regular session. Prior to the expiration of said thirty (30) days the governor shall transmit to the senate for its confirmat on an appointment for the unexpired portion of the regular term. Vacancies occurring during a session of the general assembly shall be filled as regular appointments are filled and before the end of said session and for the unexpired portion of the regular term.

Sec. 2-a2. Temporary provision.

The incumbent of said position, at the time th's chapter takes effect, shall continue to serve until July first, nineteen hundred twenty-five (1925).

Mr. O'Donnell moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were:

Alken	Garber of Adair	Leonard	Robson
Anderson	Garber of Floyd	Letts	Rust
of Webster	Gesman	Lichty	Sampson
Berry	Gibson	Lieberknecht	Schirmer
Blume	Gilbert	Long	Schulte
Bradley	Gilbertson	Lovrien	Scott of Fremont
Brady	Gilmore	Mathews	Slemmons
Carter	Graham	Moen	Smith
Clark	Grimwood	Napier	of Chickasaw
Colbert	Harrison	Noble	Smith of Lucas
Cole	Hattendorf	O'Donnell	Stookesberry
Criswell	Hauge	Oliver	Storey
Dewar	Healy	Ontjes	Strippel
Donhowe	Held	Orr	Ulstad
Dooley	Hempel	Parsons	Venard
Dotts	Henderson	Peterson	Vincent
Edge	Himebauch	Powers	Wamstad
Fackler	Hollis	Quirk	Wilson
Forsling	Huff	Ramsey	Wolfe
Frahm	Knutson	Rankin	Yenter
Gallagher	Lake	Rassler	Mr. Speaker—82.

The nays were, none.

Absent or not voting:

Blake	Elllott	Natvig	Saunders
Brittain	Hansen	Olson	Scott
Buffington	Johnson	Patterson	of Appanoose
Children	King	Potts	Stock
Diltz	McClune	Rewoldt	Weber
Doolittle	Matthiesen	Rhinehart	Williams—26.
Edson	Miller	Rumley	

The House concurred in the Senate amendments to House File No. 46.

#### TIME OF SPECIAL ORDER CHANGED

On request of Parsons of Calhoun, unanimous consent having been obtained, the time of Special Order No. 3, Substitute for House File No. 185, was changed from Thursday, March 6th, at 2:00 p. m., to Monday, March 10th, at 10:00 a. m.

#### CONSIDERATION OF BILLS

Senate File No. 263, a bill for an act to amend, revise, and codify sections one hundred one-a one (101-a1), two hundred forty-one-a four (241-a4), two hundred forty-one-a sixty-four-b (241-a64b), two hundred forty-one-a sixty-four-c (241-a64c), two hundred forty-one-a sixty-five (241-a65), and two hundred forty-one-a seventy-four (241-a74) of the supplement to the compiled code of Iowa, relating to the state printing board and to the public reports of various public offices, with report of committee recommending amendment and passage, was taken up for consideration.

The following committee amendment was taken up and considered:

Amend subsection five (5) of section six (6) by striking line eleven (11) and renumbering the following subsections.

Ramsey of Butler moved the adoption of the committee amendment.

On the question "Shall the committee amendment be adopted?" a roll call was demanded.

The ayes were:

Anderson	Frahm	Leonard	Quirk
of Webster	Garber of Floyd	Lieberknecht	Rassler
Berry	Gesman	Long	Schulte
Blume	Gibson	Mathews	Smith of Lucas
Brady	Gilbert	Miller	Stokesberry
Brittain	Gilbertson	Napier	Storey
Colbert	Hansen	Noble	Ulstad
Criswell	Harrison	Olson	Venard
Dooley	Hattendorf	Ontjes	Wolfe—41.
Dotts	Hempel	Orr	
Fackler	Huff	Patterson	

The nays were:

Bradley	Gilmore	Letts	Robson
Carter	Graham	Lichty	Rust
Clark	Grimwood	Lovrien	Sampson
Cole	Hauge	McClune	Saunders
Dewar	Healy	Moen	Schirmer
Donhowe	Held	O'Donnell	Scott of Fremont
Doolittle	Henderson	Oliver	Smith
Edge	Himebauch	Parsons	of Chickasaw
Elliott	Hollis	Peterson	Strippel
Forsling	Johnson	Ramsey	Williams
Gallagher	Knutson	Rankin	Wilson
Garber of Adair	Lake	Rhinehart	Mr. Speaker—47.

Absent or not voting:

Aiken	King	Rewoldt	Stock
Blake	Matthiesen	Rumley	Vincent
Buffington	Natvig	Scott	Wamstad
Children	Potts	of Appanoose	Weber
Diltz	Powers	Slemmons	Yenter—20.
Edson			

The committee amendment was rejected.

Mr. Ramsey moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson	Garber of Floyd	Lichty	Robson
of Webster	Gesman	Lieberknecht	Rumley
Berry	Gibson	Long	Rust
Blume	Gilbert	Lovrien	Sampson
Bradley	Gilbertson	McClune	Saunders
Brady	Gilmore	Mathews	Schirmer
Brittain	Graham	Miller	Schulte
Carter	Grimwood	Moen	Scott of Fremont
Clark	Hansen	Napier	Slemmons
Cole	Harrison	Noble	Smith
Criswell	Hattendorf	O'Donnell	of Chickasaw
Dewar	Hauge	Oliver	Stookesberry
Diltz	Healy	Olson	Storey
Donhowe	Held	Ontjes	Strippel
Dooley	Hempel	Orr	Ulstad
Doolittle	Henderson	Parsons	Venard
Dotts	Himebauch	Patterson	Wamstad
Edge	Hollis	Peterson	Williams
Elliott	Huff	Powers	Wilson
Fackler	Johnson	Quirk	Wolfe
Forsling	Knutson	Ramsey	Yenter
Frahm	Lake	Rankin	Mr. Speaker—92.
Gallagher	Leonard	Rassler	
Garber of Adair	Letts	Rhinehart	

The nays were, none.

## Absent or not voting:

Aiken	Edson	Potts	Smith of Lucas
Blake	King	Rewoldt	Stock
Buffington	Matthiesen	Scott	Vincent
Children	Natvig	of Appanoose	Weber—16.
Colbert			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 300, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Calhoun county, Iowa, with report of committee recommending passage, was taken up for consideration.

Parsons of Calhoun moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Anderson	Gilbertson	McClune	Rust
of Webster	Gilmore	Mathews	Sampson
Berry	Graham	Miller	Saunders
Blume	Grimwood	Moen	Schirmer
Brady	Hattendorf	Napier	Schulte
Brittain	Hauge	Noble	Scott of Fremont
Carter	Healy	O'Donnell	Slemmons
Clarke	Hempel	Oliver	Smith
Cole	Henderson	Olson	of Chickasaw
Criswell	Hollis	Ontjes	Smith of Lucas
Donhowe	Johnson	Parsons	Storey
Doolittle	Knutson	Patterson	Strippel
Dotts	Lake	Peterson	Ulstad
Elliott	Leonard	Powers	Wamstad
Fackler	Letts	Quirk	Wilson
Forsling	Lichty	Ramsey	Yenter
Garber of Adair	Lieberknecht	Rankin	Mr. Speaker—72.
Garber of Floyd	Long	Rhinehart	
Gilbert	Lovrien	Robson	

## The nays were:

Dooley	Hansen	Himebauch	Stookesberry—4.
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## Absent or not voting:

Aiken	Edson	Matthiesen	Stock
Blake	Frahm	Natvig	Venard
Bradley	Gallagher	Orr	Vincent
Buffington	Gesman	Potts	Weber
Children	Gibson	Rassler	Williams
Colbert	Harrison	Rewoldt	Wolfe—32.
Dewar	Held	Rumley	
Diltz	Huff	Scott	
Edge	King	of Appanoose	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SPECIAL ORDER MADE

On request of Sampson of Audubon, unanimous consent having been obtained, Senate File No. 101 was made a special order for Wednesday, March 12th, at 10:00 a. m.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Brady of O'Brien, House File No. 66, a bill for an act to amend, revise, and codify chapters three (3), five (5), and nine (9) of title eight (8), and sections sixteen hundred fourteen (1614) to sixteen hundred sixteen (1616), inclusive, sixteen hundred eighteen (1618) to sixteen hundred twenty-one (1621), inclusive, sixteen hundred twenty-three (1623) to sixteen hundred twenty-five (1625), inclusive, sixteen hundred twenty-eight (1628), sixteen hundred thirty (1630), sixteen hundred thirty-one (1631), and sixteen hundred thirty-eight (1638) to sixteen hundred forty-four (1644), inclusive, of the compiled code of Iowa, and chapters six (6), seven (7), and eight (8) of title eight (8), of the compiled code of Iowa and the supplement to said code, and chapter ten (10) of title eight (8) and sections sixteen hundred twenty-two (1622), sixteen hundred thirty-one-a nine (1631-a9), sixteen hundred thirty-six-a one (1636-a1) to sixteen hundred thirty-six-a eight (1636-a8), inclusive, and sixteen hundred thirty-seven (1637), of the supplement to said code, relating to state fair and agricultural organizations receiving state aid, with Senate amendments, was taken up for consideration.

#### SENATE AMENDMENTS

Amend section 5 by striking therefrom lines 1 to 5 inclusive, and substituting the following:

"1. The convention shall elect a president and a vice president of the state fair board.

2. The delegates of each congressional district shall elect the director for that district and he shall take office at noon on the day following the adjournment of the convention."

Amend section 8 by inserting after the word "necessary" in line 2 and before the word "expenses" in line 3 thereof the words "traveling and hotel".

Amend section 12 by inserting after the word "necessary" in line 3 the words "traveling and hotel".

Amend section 33 by striking from line 2 the words "or special".

Amend section 34 by striking therefrom lines 1, 2, 3, and 4, and inserting in lieu thereof the following: "If a majority of the votes cast are in favor of such proposition,".

Amend section 65 by inserting after the word "growing" appearing in line 8 the following: "at the same time as the farmers' winter short course at the state college of agriculture and mechanic arts".

Amend section 98 by changing the period (.) at the end of the section to a comma (,), and adding the following: "after which they shall be audited by the state board of audit and paid as other claims."

Long of Jefferson moved that action on the Senate amendments be deferred.

On the question "Shall action on the Senate amendments to House File No. 66 be deferred?" a roll call was demanded.

The ayes were:

Alken	Dooley	Long	Smith of Lucas
Blume	Gilbertson	Oliver	Stookesberry
Brittain	Held	Ontjes	Storey
Clark	Henderson	Orr	Ulstad
Criswell	Leonard	Powers	Wamstad—20

The nays were:

Anderson	Graham	McClune	Robson
of Webster	Grimwood	Miller	Rumley
Cole	Harrison	Moen	Sampson
Dewar	Hauge	Napier	Saunders
Donhowe	Healy	Noble	Schirmer
Doolittle	Hempel	O'Donnell	Schulte
Elliott	Himebauch	Olson	Scott of Fremont
Fackler	Hollis	Parsons	Slemmons
Forsling	Johnson	Patterson	Smith
Frahm	Knutson	Peterson	of Chickasaw
Gallagher	Lake	Quirk	Strippel
Garber of Adair	Letts	Ramsey	Williams
Garber of Floyd	Liohty	Rankin	Wilson
Gibson	Lieberknecht	Rassler	Yenter
Gilmore	Lovrien	Rhinehart	Mr. Speaker—58.

Absent or not voting:

Berry	Dilts	Huff	Scott
Blake	Dotts	King	of Appanoose
Bradley	Edge	Mathews	Stock
Brady	Edson	Matthiesen	Venard
Buffington	Gesman	Natvig	Vincent
Carter	Gilbert	Potts	Weber
Children	Hansen	Rewoldt	Wolfe—30
Colbert	Hattendorf	Rust	

Motion to defer action on the Senate amendments was lost.

A division of the Senate amendments was called for.

Brady of O'Brien moved that the House refuse to concur in the Senate amendment to section five (5).

On the question "Shall the House concur in the Senate amendment to section five (5)?"

The ayes were:

Aiken	Criswell	Held	Smith
Anderson	Dooley	Huff	of Chickasaw
of Webster	Frahm	Lieberknecht	Stokesberry
Berry	Garber of Floyd	Long	Ulstad
Brittain	Gesman	Moen	Wolfe—18.

The nays were:

Blume	Gilbertson	McClune	Rust
Bradley	Gilmore	Mathews	Sampson
Brady	Graham	Miller	Saunders
Carter	Grimwood	Napier	Schirmer
Clark	Hansen	O'Donnell	Schulte
Colbert	Harrison	Oliver	Scott of Fremont
Cole	Hattendorf	Olson	Slemmons
Dewar	Hauge	Ontjes	Smith of Lucas
Diltz	Healy	Parsons	Storey
Donhowe	Hempel	Patterson	Strippel
Doolittle	Henderson	Peterson	Venard
Dotts	Himebauch	Powers	Vincent
Edge	Hollis	Quirk	Wamstad
Elliott	Johnson	Ramsey	Williams
Forsling	Knutson	Rankin	Wilson
Gallagher	Lake	Rassler	Yenter
Garber of Adair	Letts	Rhinehart	Mr. Speaker—74.
Gibson	Lichty	Robson	
Gilbert	Lovrien	Rumley	

Absent or not voting:

Blake	King	Noble	Scott
Buffington	Leonard	Orr	of Appanoose
Children	Matthiesen	Potts	Stock
Edson	Natvig	Rewoldt	Weber—16.
Fackler			

The House refused to concur in the Senate amendment to section 5.

Brady of O'Brien moved that the House concur in the Senate amendments to sections eight (8), twelve (12), thirty-three (33) and sixty-five (65).

On the question "Shall the House concur in the Senate amendments to sections eight (8), twelve (12), thirty-three (33) and sixty-five (65)?"

The ayes were:

Aiken	Garber of Adair	Lieberknecht	Rust
Anderson	Garber of Floyd	Long	Saunders
of Webster	Gesman	Lovrien	Schirmer
Blume	Gibson	McClune	Schulte
Bradley	Gilbert	Mathews	Scott of Fremont
Brady	Gilbertson	Moen	Slemmons
Brittain	Gilmore	Napier	Smith
Carter	Graham	Noble	of Chickasaw
Clark	Grimwood	O'Donnell	Smith of Lucas
Colbert	Hansen	Olson	Stookesberry
Criswell	Harrison	Ontjes	Storey
Dewar	Hattendorf	Orr	Strippel
Dilts	Hauge	Parsons	Ulstad
Donhowe	Healy	Patterson	Venard
Dooley	Held	Peterson	Vincent
Doolittle	Hempel	Powers	Wamstad
Dotts	Henderson	Quirk	Williams
Edge	Himebauch	Ramsey	Wilson
Elliott	Hollis	Rankin	Wolfe
Fackler	Johnson	Rassler	Mr. Speaker—87.
Forsling	Lake	Rhinehart	
Frahm	Letts	Robson	
Gallagher	Lichty	Rumley	

The nays were, none.

Absent or not voting:

Berry	Huff	Natvig	Scott
Blake	King	Oliver	of Appanoose
Buffington	Knutson	Potts	Stock
Children	Leonard	Rewoldt	Weber
Cole	Matthiesen	Sampson	Yenter—21.
Edson	Miller		

The House concurred in the Senate amendments to sections eight (8), twelve (12), thirty-three (33) and sixty-five (65).

Brady of O'Brien offered the following amendment to the Senate amendment to section ninety-eight (98) and moved its adoption:

Amend the Senate amendment to section ninety-eight (98) by striking therefrom the last five (5) words in the last line thereof.

Amendment to the Senate amendment adopted.

Brady of O'Brien moved that the House concur in the Senate amendment to section ninety-eight (98), as amended.

On the question "Shall the House concur in the Senate amendment to section ninety-eight (98), as amended?"

The ayes were:

Aiken	Dooley	Long	Stookesberry
Brady	Huff	Slemmons	Ulstad
Criswell	Johnson	Smith of Lucas	Wolfe—12

The nays were:

Anderson of	Gibson	Mathews	Rust
Webster	Gilbert	Moen	Sampson
Blume	Gilbertson	Napier	Saunders
Bradley	Graham	Noble	Schirmer
Brittain	Grimwood	O'Donnell	Schulte
Carter	Hansen	Oliver	Scott of Fremont
Colbert	Harrison	Olson	Smith of
Cole	Hauge	Ontjes	Chickasaw
Dewar	Healy	Orr	Storey
Diltz	Held	Parsons	Strippel
Donhowe	Hempel	Patterson	Venard
Doolittle	Henderson	Peterson	Vincent
Dotts	Himebauch	Powers	Wamstad
Edge	Hollis	Quirk	Williams
Fackler	Lake	Ramsey	Wilson
Forsling	Letts	Rankin	Yenter
Gallagher	Lichty	Rassler	Mr. Speaker—75
Garber of Adair	Lieberknecht	Rhinehart	
Garber of Floyd	Lovrien	Robson	
Gesman	McClune	Rumley	

Absent or not voting:

Berry	Elliott	Leonard	Scott of
Blake	Frahm	Matthiesen	Appanoose
Buffington	Gilmore	Miller	Stock
Children	Hattendorf	Natvig	Weber—21
Clark	King	Potts	
Edson	Knutson	Rewoldt	

The House refused to concur in the Senate amendment to section ninety-eight (98).

Brady of O'Brien moved that the House concur in the Senate amendment to section thirty-four (34).

On the question "Shall the House concur in the Senate amendment to section thirty-four (34)?"

The ayes were:

Blume	Gibson	Lieberknecht	Rumley
Brady	Gilbert	Long	Sampson
Brittain	Gilbertson	Mathews	Saunders
Carter	Hansen	Miller	Schirmer
Colbert	Hattendorf	Moen	Schulte
Cole	Healy	Napier	Scott of Fremont
Diltz	Held	Noble	Smith of
Dooley	Hempel	O'Donnell	Chickasaw
Doolittle	Himebauch	Olson	Strippel
Dotts	Hollis	Ontjes	Wilson
Edge	Huff	Orr	Wolfe
Elliott	Knutson	Peterson	Yenter—56
Gallagher	Lake	Quirk	
Garber of Floyd	Letts	Rhinehart	
Gesman	Lichty	Robson	

The nays were:

Anderson of Webster	Grimwood Henderson	Parsons Ramsey	Slemmons Smith of Lucas
Dewar	Johnson	Rassler	Williams
Forsling	Oliver	Rust	Mr. Speaker—15

Absent or not voting:

Alken	Fackler	McClune	Stock
Berry	Frahm	Matthiesen	Stookesberry
Blake	Garber of Adair	Natvig	Storey
Bradley	Gilmore	Patterson	Ulstad
Buffington	Graham	Potts	Venard
Children	Harrison	Powers	Vincent
Clark	Hauge	Rankin	Wamstad
Criswell	King	Rewoldt	Weber—37
Donhowe	Leonard	Scott of	
Edson	Lovrien	Appanoose	

The House concurred in the Senate amendment to section thirty-four (34).

#### REPORT OF CONFERENCE COMMITTEE ON HOUSE

FILE NO. 144

Diltz of Polk, from the conference committee on House File No. 144, submitted the following report:

**MR. SPEAKER:** Your conference committee to whom was referred House File No. 144 after disagreement thereon by the Senate and the House, beg leave to report that they have had the same under consideration and that they have agreed upon a compromise and submit the following report accordingly.

Amend section 9 by adding thereto the following sentence:

"If however, a headstone of the above general description shall be provided by the national government or if a tombstone shall be furnished by private persons for such grave, the headstone herein provided for need not be provided at county expense."

Amend section 10 by striking all of said section and substituting in lieu thereof the following:

"The expenses of such burial and headstone shall be paid by the county in which such person died. If such person is a resident of a different county at the time of death, the latter county shall reimburse the county wherein he died for the cost of such burial and headstone. In either case, the board of supervisors of such respective counties shall

audit the account and pay the same from the funds provided for in this chapter in such manner as other claims are audited and paid."

VOLNEY DILTZ,  
RAY YENTER,  
C. G. OLIVER,  
C. F. CLARK,

*Conferees on part of the House.*

A. J. SHINN,  
ED H. CAMPBELL,  
BEN C. ABBEN, JR.  
LLOYD THURSTON,

*Conferees on part of the Senate.*

Passed on file.

#### AMENDMENTS FILED

Harrison of Pottawattamie filed the following amendment to Substitute for House File No. 185:

Amend Substitute for House File No. 185 as follows:

Following section 220 insert the following definitive section:

Sec. 220-a1. Definition of terms.

1. Within the meaning of this act, the term "board" shall embrace the board of supervisors, the joint boards of supervisors in case of inter-county levee or drainage districts, and the board of trustees in case of a district under trustee management.

2. The term "commissioner" shall mean the men appointed and qualified to classify lands, fix percentages of benefits, apportion and assess costs and expenses in any levee or drainage district.

3. The term "appraisers" shall mean the men appointed and qualified to ascertain the value of all land taken and the amount of damage arising from the construction of levee or drainage improvements.

Oliver of Monona filed the following amendments to Substitute for House File No. 185:

Amend Substitute for House File No. 185 as follows:

(1) Amend section six (6), line one (1), by striking out the words "Any person whose lands" and inserting in lieu thereof the following: "Any owners of at least twenty-five per cent (25%) of the lands which".

(2) Amend section thirteen (13), line one (1), by striking out the words "proceed to".

(3) Amend section fourteen (14), line one (1), by striking out the words "of his proceedings".

(4) Amend section twenty-five (25), line one (1), by inserting after the word "will" in line one (1), the words "effect the reclamation of said lands, will".

(5) Amend section twenty-six (26), line one (1), by striking out the words "proceed to".

(6) Amend section twenty-seven (27), line two (2), by striking out the words "proceed to".

(7) Amend section sixty-eight (68), line two (2), by striking out the period (.) after the word "cash" and add thereto the following: ", but this provision shall not apply when the aggregate assessments against tracts of land belonging to one person exceed twenty dollars (\$20.00)."

(8) Amend section one hundred sixty-eight (168), line five (5), by adding after the word "towns" the following: ", but no board of supervisors shall have power or authority to establish a drainage or levee district that lies wholly within the corporate limits of any city or town".

Cole of Harrison filed the following amendment to House File No. 261-A:

Amend House File No. 261-A, section 119-a2, lines 2, 3, and 6 by striking out the words "Pharmacy Examiners" where same appears in said lines and insert in lieu thereof "department of health".

Wolfe of Linn filed the following amendment to House File No. 261:

Amend House File No. 261 as follows:

Amend the title by striking from line thirty-five (35) the following: ", drugs,".

Lovrien of Humboldt filed the following amendment to Substitute for House File No. 185:

Amend the Substitute for House File No. 185, section 116, as follows:

Amend by inserting in line twelve (12) of section 116 following the word "notice" the words: "as provided in sections sixteen (16), seventeen (17), eighteen (18), nineteen (19) and twenty (20)".

On motion of Dooley of Van Buren the House adjourned until 9:30 a. m. Friday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES.  
DES MOINES, IOWA. MARCH 7, 1924.

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

Prayer was offered by the Rev. E. H. Reeman, pastor of the First Unitarian church, Des Moines.

Journal of March 6th corrected and approved.

## PETITIONS

The following petitions urging the passage of a law providing for compulsory reading of the Bible in public schools were presented and referred to the committee on schools and textbooks:

By Forsling of Woodbury, from citizens of Anthon.

By Himebauch of Emmet, from citizens of Estherville.

By Hauge of Polk, from members of Christian Endeavor societies of Des Moines.

Anderson of Webster presented a petition from citizens of Webster county urging the passage of Senate File No. 283 with proposed amendments.

Referred to the committee on suppression of intemperance.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Buffington of Mills for the day, on request of Powers of Page; Scott of Appanoose for the day, on request of Stookesberry of Davis; Gilbert of Marshall for the day, on request of Forsling of Woodbury.

## INTRODUCTION OF BILL

House File No. 297, by Napier of Ringgold, a bill for an act to legalize the corporate acts and proceedings of the Farmers

Savings Bank of Beaconsfield, Iowa, and to authorize the renewal of the period of corporate existence of said bank.

Read first and second times and referred to committee on judiciary.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on March 5th, approved the following bills: House Files Nos. 68-A, 2, 170 and 228.

#### CONSIDERATION OF BILLS

##### SPECIAL ORDER NO. 1

House File No. 261, a bill for an act to amend, revise, and codify chapters four (4), nine (9), ten (10), eleven (11), and fourteen (14) of title seven (7), chapter forty-six (46) of title thirty-three (33), and sections nine hundred (900) to nine hundred two (902), inclusive, nine hundred four (904) to nine hundred six (906), inclusive, nine hundred eight (908) to nine hundred thirteen (913), inclusive, fourteen hundred twenty-four (1424), fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, fourteen hundred thirty-three (1433) to fourteen hundred thirty-nine (1439), inclusive, fourteen hundred forty-one (1441), fourteen hundred forty-four (1444), fourteen hundred forty-six (1446) to fourteen hundred fifty-one (1451), inclusive, fourteen hundred fifty-three (1453) to fourteen hundred sixty-eight (1468), inclusive, fourteen hundred seventy (1470), fourteen hundred seventy-one (1471), fourteen hundred seventy-three (1473) to fourteen hundred seventy-seven (1477), inclusive, fourteen hundred seventy-nine (1479), fourteen hundred eighty (1480), fifteen hundred thirty-three (1533) to fifteen hundred thirty-five (1535), inclusive, fifteen hundred sixty-eight (1568) to fifteen hundred seventy-one (1571), inclusive, fifteen hundred seventy-three (1573) to fifteen hundred eighty-five (1585), inclusive, fifteen hundred eighty-seven (1587) to fifteen hundred ninety-one (1591), inclusive, fifteen hundred ninety-three (1593) to sixteen hundred six (1606), inclusive, and eighty-eight hundred fifty-two (8852), of the compiled code of Iowa; chapters seven (7) and twelve (12) of title seven (7) of the compiled code and of the supplement to said code; chapter twenty-four (24) of title five (5), chapter fourteen-A (14-A) of

title six (6), and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432), fourteen hundred forty-five (1445), fourteen hundred forty-five-a one (1445-a1) to fourteen hundred forty-five-a three (1445-a3), inclusive, fourteen hundred seventy-eight (1478), fifteen hundred thirty-two-a one (1532-a1) to fifteen hundred thirty-two-a fourteen (1532-a14), inclusive, fifteen hundred thirty-two-a sixteen (1532-a16), fifteen hundred seventy-two (1572), and fifteen hundred eighty-six (1586) of the supplement to the compiled code of Iowa, relating to regulation and inspection of foods, drugs, and other articles, with report of committee recommending amendment and passage, was taken up for consideration.

Speaker pro tempore Ontjes in the chair.

Speaker Anderson in the chair.

On motion of Wolfe of Linn the amendments proposed by the committee, found in the Journal of February 25th, were adopted.

The following amendment filed by Strippel of Benton was taken up and considered:

Amend House File No. 261 as follows:

In section 86, line 3, strike out "sections forty (40) and one hundred seventeen (117)" and in lieu insert the following: "section forty (40) of this title and section one hundred seventeen (117) of House File No. 261-A, special session, Fortieth General Assembly".

On motion of Mr. Strippel the amendment was adopted.

The following amendment filed by Wolfe of Linn was taken up and considered:

Amend the title by striking from line thirty-five (35) the following: ", drugs,".

On motion of Mr. Wolfe the amendment was adopted.

The following amendment filed by Robson of Greene was taken up and considered:

Amend House File No. 261 as follows:

In section 132, lines 4 and 5, strike out the following: "one hundred twenty-five (125)" and in lieu thereof insert: "one hundred twenty-a twenty-four (120-a24) of House File No. 261-A, special session, Fortieth General Assembly".

On motion of Mr. Robson the amendment was adopted.

Wolfe of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson	Garber of Floyd	Lovrien	Sampson
of Webster	Gesman	Mathews	Saunders
Berry	Gibson	Moen	Schirmer
Blume	Gilbertson	Napier	Schulte
Bradley	Graham	Noble	Scott
Brady	Grimwood	O'Donnell	of Fremont
Brittain	Hattendorf	Oliver	Slemmons
Carter	Healy	Olson	Smith
Colbert	Held	Ontjes	of Chickasaw
Cole	Hempel	Orr	Smith of Lucas
Criswell	Henderson	Parsons	Stookesberry
Dewar	Himebauch	Patterson	Storey
Donhowe	Hollis	Peterson	Strippel
Dooley	Johnson	Potts	Ulstad
Doolittle	King	Quirk	Venard
Dotts	Knutson	Ramsey	Vincent
Edge	Lake	Rankin	Wamstad
Elliott	Leonard	Rewoldt	Wilson
Fackler	Letts	Rhinehart	Wolfe
Frahm	Lichty	Robson	Mr. Speaker—83.
Gallagher	Lieberknecht	Rumley	
Garber of Adair	Long	Rust	

The nays were:

Blake	Miller	Rassler	Williams—6.
Harrison	Powers		

Absent or not voting:

Aiken	Edson	Hauge	Scott
Buffington	Forsling	Huff	of Appanoose
Children	Gilbert	McClune	Stock
Clark	Gilmore	Matthiesen	Weber
Diltz	Hansen	Natvig	Yenter—19.

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### SPECIAL ORDER NO. 2

House File No. 261-A, a bill for an act to amend, revise, and codify sections fourteen hundred twenty-four (1424), fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, eighty-eight hundred fifty-two (8852), eighty-

eight hundred sixty-four (8864), eighty-eight hundred sixty-five (8865), and chapter fifteen (15) of title six (6) of the compiled code of Iowa; and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432), and chapter fourteen-A (14-A) of title six (6) of the supplement to the compiled code of Iowa, relating to drugs, poisons, narcotics, and abortifacients, was taken up for consideration.

Grimwood of Jones offered the following amendments and moved their adoption:

Amend section 120-a23, line six (6), by inserting before the word "denatured" the word "completely".

Amend section 120-a27, subsection three (3), by inserting before the word "denatured" the word "completely".

Amendments adopted.

The following amendment filed by Cole of Harrison was taken up and considered:

Amend House File No. 261-A, section 119-a2, lines 2, 3, and 6 by striking out the words "Pharmacy Examiners" where same appears in said lines and insert in lieu thereof "department of health".

On the question "Shall the amendment offered by Cole of Harrison be adopted?" a roll call was demanded.

The ayes were:

Aiken	Gallagher	Lovrien	Rumley
Anderson	Garber of Floyd	Miller	Sampson
of Webster	Gibson	Moen	Schulte
Blume	Gilbertson	O'Donnell	Smith
Bradley	Hempel	Oliver	of Chickasaw
Lrittain	Himebauch	Potts	Storey
Clark	Johnson	Powers	Strippel
Cole	Lake	Quirk	Istad
Dotts	Leonard	Rankin	Wilson
Fackler	Lichty	Rewoldt	Wolfe—41.
Frahm	Long	Robson	

The nays were:

Berry	Garber of Adair	Knutson	Rassler
Blake	Gesman	Letts	Rhinehart
Brady	Gilmore	Lieberknecht	Rust
Colbert	Graham	Mathews	Schirmer
Criswell	Grimwood	Napier	Scott of Fremont
Diltz	Hansen	Olson	Slemmons
Ponhove	Hattendorf	Ontjes	Smith of Lucas
Dooley	Hauge	Orr	Stookesberry
Doolittle	Healy	Parsons	Venard
Elliott	Henderson	Peterson	Vincent
Forsling	King	Ramsey	Mr. Speaker—44.

## Absent or not voting:

Buffington	Harrison	Natvig	Stock
Carter	Held	Noble	Wamstad
Children	Hollis	Patterson	Weber
Dewar	Huff	Saunders	Williams
Edge	McClune	Scott	Yenter—23.
Edson	Matthiesen	of Appanoose	
Gilbert			

Amendment offered by Cole of Harrison lost.

Grimwood of Jones moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Aiken	Garber of Adair	Letts	Rhinehart
Anderson	Garber of Floyd	Lichty	Robson
of Webster	Gesman	Lieberknecht	Rumley
Berry	Gibson	Long	Rust
Blake	Gilbertson	Lovrien	Sampson
Blume	Gilmore	Mathews	Saunders
Bradley	Graham	Miller	Schirmer
Brady	Grimwood	Moen	Schulte
Brittain	Hansen	Napier	Scott of Fremont
Carter	Hattendorf	Noble	Slemmons
Colbert	Hauge	O'Donnell	Smith
Criswell	Healy	Oliver	of Chickasaw
Diltz	Held	Olson	Smith of Lucas
Donhowe	Hempel	Ontjes	Stookesberry
Dooley	Henderson	Orr	Storey
Doolittle	Himebauch	Parsons	Strippel
Dotts	Hollis	Peterson	Venard
Edge	Huff	Potts	Vincent
Elliott	Johnson	Quirk	Williams
Fackler	King	Ramsey	Wilson
Forsling	Knutson	Rankin	Wolfe
Frahm	Lake	Rassler	Mr. Speaker—89.
Gallagher	Leonard	Rewoldt	

## The nays were:

Cole Powers—2

## Absent or not voting:

Buffington	Gilbert	Patterson	Ulstad
Children	Harrison	Scott	Wamstad
Clark	McClune	of Appanoose	Weber
Dewar	Matthiesen	Stock	Yenter—17.
Edson	Natvig		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Criswell of Boone moved that the House adjourn until 2:00 p. m.

Clark of Linn moved to amend the motion by Criswell of Boone by changing the hour to 1:00 p. m.

Amendment lost.

Motion by Criswell of Boone lost.

#### SPECIAL ORDER NO. 3

Senate File No. 85, a bill for an act to amend, revise, and codify chapter one (1) of title ten (10) and sections twenty-two hundred seventy-one (2271), twenty-two hundred seventy-three (2273), twenty-five hundred seventy-three (2573), and twenty-five hundred seventy-five (2575) of the compiled code of Iowa, and sections twenty-two hundred seventy-four-a one (2274-a1), twenty-two hundred seventy-four-a two (2274-a2), and twenty-six hundred twenty-eight (2628) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up for consideration.

#### CALL OF THE HOUSE

The following call of the House was filed:

MR. SPEAKER: We ask for a call of the House pending the consideration of and vote upon Senate File No. 85.

L. V. CARTER,  
T. W. NAPIER,  
W. C. SCOTT,  
W. WALTER WILSON,  
G. E. HELD,  
ALFRED WILLIAMS.

Johnson of Dickinson moved that McClune of Mahaska be excused from the call of the House.

By a rising vote the motion, having received a two-thirds vote, prevailed.

Forsling of Woodbury moved that Gilbert of Marshall be excused from the call of the House.

By a rising vote the motion, having received a two-thirds vote, prevailed.

Gilbertson of Winneshiek moved that Natvig of Howard be excused from the call of the House.

By a rising vote the motion, having received a two-thirds vote, prevailed.

The roll was called to ascertain the absentees.

Those present were:

Aiken	Gallagher	Letts	Rhinehart
Anderson	Garber of Adair	Lichty	Robson
of Webster	Garber of Floyd	Lieberknecht	Rumley
Berry	Gesman	Long	Rust
Blake	Gibson	Lovrien	Sampson
Blume	Gilbertson	Mathews	Saunders
Bradley	Gilmore	Miller	Schirmer
Brady	Graham	Moen	Schulte
Brittain	Grimwood	Napier	Scott of Fremont
Carter	Hansen	Noble	Slemmons
Clark	Harrison	O'Donnell	Smith
Colbert	Hattendorf	Oliver	of Chickasaw
Cole	Hauge	Olson	Smith of Lucas
Criswell	Healy	Ontjes	Stookesberry
Dewar	Held	Orr	Storey
Diltz	Hempel	Parsons	Strippel
Donhowe	Henderson	Patterson	Ulstad
Dooley	Himebauch	Peterson	Venard
Doolittle	Hollis	Potts	Vincent
Dotts	Huff	Powers	Wamstad
Edge	Johnson	Quirk	Williams
Elliott	King	Ramsey	Wilson
Fackler	Knutson	Rankin	Wolfe
Forsling	Lake	Rassler	Mr. Speaker—97.
Frahm	Leonard	Rewoldt	

Those absent and not excused from the call of the House were:

Buffington	Mathiesen	Stock	Yenter—8.
Children	Scott	Weber	
Edson	of Appanoose		

O'Donnell of Dubuque moved that Weber of Dubuque be excused from the call of the House.

By a rising vote the motion, having received a two-thirds vote, prevailed.

Harrison of Pottawattamie moved that Children of Pottawattamie be excused from the call of the House.

By a rising vote the motion, having received a two-thirds vote, prevailed.

Strippel of Benton moved that Stock of Allamakee be excused from the call of the House.

By a rising vote the motion, having received a two-thirds vote, prevailed.

Ontjes of Grundy moved that Buffington of Mills, Matthiesen of Clinton and Yenter of Johnson be excused from the call of the House.

Forsling of Woodbury moved as a substitute for the motion by Ontjes of Grundy that the call of the House be now raised.

Clark of Linn raised the point of order that the motion to raise the call of the House before the expiration of the time mentioned in the call would be a suspension of the rules and would therefore require a two-thirds majority.

The Speaker ruled that the point of order was well taken.

Criswell of Boone moved that the House now adjourn until 1:30 p. m. today.

Motion lost.

Clark of Linn moved to amend the substitute motion by Forsling of Woodbury by adding thereto the following: "and reinstated at 1:00 p. m."

Amendment lost.

Clark of Linn moved to amend the substitute motion by Forsling of Woodbury by adding thereto the following: "and reinstated at the beginning of the afternoon session".

Amendment lost.

Motion by Forsling of Woodbury lost.

Criswell of Boone moved that the House now adjourn until 1:15 p. m. today.

Motion prevailed.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

Rankin of Lee moved that the House now go into executive session for the consideration of Senate File No. 85.

A roll call was demanded and rule 18 was invoked.

On the question "Shall the House go into executive session for the consideration of Senate File No. 85?"

The ayes were:

Aiken	Frahm	Huff	Ramsey
Anderson of Webster	Garber of Adair	Lake	Rankin
Colbert	Garber of Floyd	Lovrien	Rassler
Cole	Gesman	Miller	Rewoldt
Dewar	Gilbertson	Moen	Rhinehart
Dilts	Gilmore	Noble	Rumley
Doolittle	Hansen	O'Donnell	Schulte
Dotts	Hattendorf	Oliver	Venard
Edge	Hauge	Olson	Wolfe
Elliott	Healy	Orr	Yeater—45
Forsling	Hempel	Patterson	
	Himebauch	Potts	

The nays were:

Berry	Gibson	Mathews	Smith of Chickasaw
Blake	Graham	Napier	Smith of Lucas
Blume	Grimwood	Ontjes	Stookesberry
Bradley	Held	Parsons	Storey
Brady	Henderson	Peterson	Strippel
Brittain	Hollis	Powers	Ulstad
Carter	Johnson	Quirk	Vincent
Clark	King	Robson	Wamstad
Criswell	Knutson	Rust	Williams
Donhowe	Leonard	Sampson	Wilson
Dooley	Letts	Saunders	Mr. Speaker—55
Edson	Lichty	Schirmer	
Fackler	Lieberknecht	Scott of Fremont	
Gallagher	Long	Slemmons	

Absent or not voting:

Buffington	Harrison	Natvig	Stock
Children	McClune	Scott of	Weber—10
Gilbert	Matthiesen	Appanoose	

Motion to go into executive session lost.

#### SPECIAL ORDER NO. 3.

The House proceeded with the consideration of Senate File No. 85.

The following amendment proposed by the committee on schools and textbooks was taken up and considered:

Amend section 2, line 1, by inserting after the word "corporation" the following: "and the authorities in charge of each private school".

On motion of Held of Plymouth the amendment was adopted.

The following amendment to section eight (8) proposed by the committee on schools and textbooks was taken up for consideration:

Amend by striking section 8 and inserting in lieu thereof the following:

"Sec. 8. The Bible shall not be excluded from any public institution, and the teacher in charge of any public school shall read or cause to be read a portion of the Bible, daily, without comment, in every public school class room or session room, and no child shall be required to read the Bible against the wish of his parent or guardian. The provisions of this section shall not be construed to prohibit the offering of elective courses in Bible study.

Upon taking effect of this act, the governor shall appoint a committee of seven members to serve without pay, of which the superintendent of public instruction shall be chairman ex officio, whose duty it shall be to select an extended list of references to Bible passages recommended for daily reading in the public schools, and the department of public instruction shall furnish copies of said list free to the school boards of the state."

Rankin of Lee offered the following amendment as a substitute for all pending amendments:

Amend Senate File No. 85 by substituting for all pending amendments the following:

Strike section 8 from said bill and substitute in lieu thereof the following: The Bible shall not be excluded from any public school or institution in the state nor shall any child be required to read it contrary to the wishes of his parent or guardian.

Graham of Wapello moved the previous question on the substitute amendment offered by Rankin of Lee.

Motion lost.

Debate on the amendment continued.

Anderson of Webster moved the previous question on the substitute amendment offered by Rankin of Lee.

Motion prevailed.

On the question "Shall the amendment offered by Rankin of Lee be substituted for all pending amendments?" a roll call was demanded.

The ayes were:

Aiken	Cole	Frahm	Harrison
Anderson	Dewar	Gallagher	Hattendorf
of Webster	Diltz	Garber of Adair	Hauge
Berry	Doolittle	Garber of Floyd	Healy
Blume	Dotts	Gesman	Hempel
Bradley	Edge	Gilbertson	Henderson
Brady	Elliott	Gilmore	Himebauch
Colbert	Forsling	Hansen	Huff

Johnson	O'Donnell	Ramsey	Wamstad
Lake	Oliver	Rankin	Wolfe
Long	Olson	Rassler	Yenter
Lovrien	Orr	Rewoldt	Mr. Speaker—56.
Miller	Parsons	Saunders	
Moen	Patterson	Schulte	
Noble	Potts	Smith of Lucas	

The nays were:

Blake	Grimwood	Ontjes	Slemmons
Brittain	Held	Peterson	Smith
Carter	Hollis	Powers	of Chickasaw
Clark	King	Quirk	Stookesberry
Criswell	Knutson	Rhinehart	Storey
Donhowe	Leonard	Robson	Strippel
Dooley	Letts	Rumley	Ulstad
Edson	Lichty	Rust	Venard
Fackler	Lieberknecht	Sampson	Vincent
Gibson	Mathews	Schirmer	Williams
Graham	Napier	Scott of Fremont	Wilson—43

Absent or not voting:

Buffington	McClune	Scott	Stock
Children	Matthiesen	of Appanoose	Weber—9
Gilbert	Natvig		

Motion prevailed and the amendment offered by Rankin of Lee was substituted for all pending amendments.

On motion of Rankin of Lee the amendment was adopted.

Carter of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Dotts	Healy	Noble
Anderson of	Edge	Hempel	O'Donnell
Webster	Edson	Henderson	Oliver
Berry	Elliott	Himebauch	Olson
Blake	Forsling	Hollis	Ontjes
Blume	Frahm	Huff	Orr
Bradley	Gallagher	Johnson	Parsons
Brady	Garber of Adair	King	Patterson
Brittain	Garber of Floyd	Knutson	Peterson
Carter	Gesman	Lake	Potts
Clark	Gibson	Letts	Powers
Colbert	Gilbertson	Lichty	Quirk
Cole	Gilmore	Lieberknecht	Ramsey
Criswell	Graham	Long	Rankin
Dewar	Grimwood	Lovrien	Rassler
Diltz	Hansen	Mathews	Rewoldt
Donhowe	Harrison	Miller	Rhinehart
Dooley	Hattendorf	Moen	Robson
Doolittle	Hauge	Napier	Rust

Sampson	Slemmons	Storey	Wamstad
Saunders	Smith of	Strippel	Wilson
Schirmer	Chickasaw	Ulstad	Wolfe
Schulte	Smith of Lucas	Venard	Yenter
Scott of Fremont	Stookesberry	Vincent	Mr. Speaker—94

The nays were:

Fackler	Leonard	Rumley	Williams—5
Held			

Absent or not voting:

Buffington	McClune	Scott of	Stock
Children	Matthiesen	Appanoose	Weber—9
Gilbert	Natvig		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Hauge of Polk moved that the vote by which Senate File No. 85 passed the House be reconsidered and that the motion to reconsider be laid on the table.

The question was on the motion to lay the motion to reconsider on the table.

Motion prevailed.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File No. 300.

C. F. LETTS, *Chairman House Committee.*

GEORGE S. BANTA, *Acting Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: Senate File No. 300.

#### 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 the Senate amendments

to House File No. 256, a bill for an act relating to the appointment and bonds of guardians, and to the sale or mortgage of the property of persons under guardianship, and of persons deceased.

Also, that the Senate has concurred in the House amendments to Senate File No. 33, a bill for an act relating to release of sureties on bonds required by law.

Also, that the Senate has concurred in the House amendments to Senate File No. 111, a bill for an act relating to education.

Also, that the Senate has concurred in the House amendments to Senate File No. 51, a bill for an act relating to intoxicating liquors, and to penalties for smuggling liquors, narcotics, firearms or other devices for escape into jails and penal institutions of this state.

Also, that the Senate has concurred in the House amendments to Senate File No. 257, a bill for an act relating to cigarettes, cigarette papers, wrappers, and tubes and to the sale and advertisement of tobacco.

Also, that the Senate has concurred in the House amendments to Senate File No. 171, a bill for an act relating to municipal corporations.

Also, that the Senate has adopted the report of the conference committee and the amendments proposed therein on Senate File No. 275, a bill for an act relating to the sale of public bonds.

Also, that the Senate has adopted and concurred in the report of the conference committee and amendments proposed on House File No. 71, a bill for an act relating to neglected, disabled, and abandoned animals, animals running at large, estrays, dogs and the responsibility therefor, the licensing of dogs, the rights and duties resulting from such licensing or failure to license, and the payment of claims for damages done by dogs and wolves.

Also, that the Senate has amended and concurred in the House amendments to Senate File No. 117, a bill for an act relating to the establishment, vacation, and alteration of highways, to the erection and maintenance of bridges, and to the condemnation, establishment, and improvement of primary roads in cities and towns.

Also, that the Senate has amended and concurred in the House amendments to Senate File No. 123, a bill for an act relating to the township road system, the repair and improvement of the same, and the duties of the officers having jurisdiction thereover.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE FILE NO. 117

Amend the House amendment to section 10 by striking therefrom the following:

"amend said section by striking out the period (.) after the word 'weeks' in line six (6) thereof and inserting a comma (,) and adding the following: 'and also by mailing to such owner and mortgagee of record, by registered mail, addressed to his last known address with a copy of such notice', and by inserting in lieu thereof the following:

"Amend said section by striking out the period (.) after the word 'weeks' in line six (6) thereof and inserting a comma (,) and adding the following: 'and also by mailing by registered mail a copy of such notice to such owner and mortgagee of record addressed to his last known address and the county auditor shall furnish to the board of supervisors his affidavit that such notice has been sent, which affidavit shall be conclusive evidence of the mailing of such notice.'"

SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE  
FILE NO. 123

Amend the first House amendment to section 18 by striking out the period at the end thereof and inserting a comma and adding the following: "and in townships where the road drainage fund has an excess over the amount required for road drainage, the township may transfer such money to the township road fund, but in townships where no drainage fund is needed no levy shall be made therefor."

Amend the second House amendment by striking therefrom the following: "Amend section two (2) by inserting between the words 'faithfully' and 'expend' in lines two (2) and three (3) the words 'and equitably'."

Amend by striking out the House amendment to section 15.

Amend the House amendment to section 18 by striking out of line 2 thereof the words "surplus or part thereof" and inserting in lieu thereof the word "monies".

CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 275

MR. PRESIDENT: Your conference committee on Senate File No. 275, a bill for an act relating to bonds, begs leave to report that it has had the bill under consideration and submits the following report:

1. Amend the House amendment to section 3 by striking the last sentence of said amendment and inserting in lieu thereof: "In case of private sales, the said bonds shall be sold upon terms not less favorable to the public than the most favorable bid made by a bona fide and responsible bidder at the last advertised sale."

2. That the Senate then concur in all the House amendments.

Respectfully submitted:

GEORGE S. BANTA,  
S. C. REES,  
J. A. McINTOSH,  
T. C. CESSNA,

*Conferees on the part of the Senate.*

O. A. ONTJES,  
VOLNEY DILTZ,  
JNO. A. STOREY,  
L. B. FORSLING,

*Conferees on the part of the House.*

## AMENDMENT FILED

Forsling of Woodbury filed the following amendment to House File No. 230:

Amend House File No. 230 by striking therefrom sections three (3) and four (4); also by amending the title to conform.

On motion of Elliott of Scott the House adjourned until 9:30 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 8, 1924.

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

Prayer was offered by the Rev. Carl M. Corrie, pastor of the M. E. church, Madrid, Iowa.

Journal of March 7th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Garber of Adair for the day, on request of Hauge of Polk; Huff of Cass for the day, on request of Slemmons of Buchanan; Scott of Appanoose for the day, on request of Stookesberry of Davis; Storey of Warren until Tuesday, on request of Powers of Page; McClune of Mahaska indefinitely, on request of Johnson of Dickinson; Natvig of Howard for the day, on request of Gilbertson of Winneshiek; Yenter of Johnson until Tuesday, on request of Doolittle of Delaware.

## REPORT OF COMMITTEE

Ulstad of Wright, from the committee on labor, submitted the following report:

MR. SPEAKER: Your committee on labor to whom was referred Senate File No. 43, a bill for an act to amend, revise and codify sections eight hundred fifty-nine (859), eight hundred sixty-one (861), eight hundred sixty-two (862), and eight hundred eighty-three (883) of the compiled code of Iowa, and section eight hundred sixty (860) of the supplement to said code, relating to health and safety appliances and industrial accidents, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

OSCAR ULSTAD, *Chairman.*

Report adopted.

## REPORT OF CONFERENCE COMMITTEE CONSIDERED

The report of the conference committee on Senate File No. 275, found in the House Journal of March 7th, was taken up for consideration.

Ontjes of Grundy moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee on Senate File No. 275 and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson	Gibson	Lovrien	Sampson
of Webster	Gilbert	Mathews	Saunders
Berry	Gilbertson	Miller	Schirmer
Blake	Grimwood	Moen	Schulte
Blume	Hattendorf	Napier	Scott of Fremont
Bradley	Hauge	Noble	Slemmons
Brady	Healy	Oliver	Smith
Brittain	Held	Ontjes	of Chickasaw
Children	Hempel	Orr	Smith of Lucas
Colbert	Henderson	Parsons	Stookesberry
Criswell	Himebauch	Patterson	Strippel
Donhowe	Hollis	Peterson	Ulstad
Dooley	Johnson	Powers	Venard
Dotts	King	Quirk	Vincent
Edge	Knutson	Ramsey	Williams
Edson	Leonard	Rewoldt	Wilson
Forsling	Letts	Rhinehart	Mr. Speaker—75.
Frahm	Lichty	Robson	
Garber of Floyd	Lieberknecht	Rumley	
Gesman	Long	Rust	

The nays were, none.

Absent or not voting:

Aiken	Fackler	McClune	Scott
Buffington	Gallagher	Matthiesen	of Appanoose
Carter	Garber of Adair	Natvig	Stock
Clark	Gilmore	O'Donnell	Storey
Cole	Graham	Olson	Wamstad
Dewar	Hansen	Potts	Weber
Diltz	Harrison	Rankin	Wolfe
Doolittle	Huff	Rassler	Yenter—33.
Elliott	Lake		

The report of the conference committee on Senate File No. 275 and the amendments proposed by said conference committee were adopted.

#### HOUSE FILE NO. 211 REREFERRED

Clark of Linn moved that House File No. 211 be rereferred to 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 insists on its amendments to House File No. 126, a bill for an act relating to the removal of obstructions from public highways and to advertising signs and billboards which obstruct the view of public highways and railway tracks, and requests a conference committee. The President has appointed as such conference committee on the part of the Senate, Senators Smith, White, Kimberly and Adams.

L. W. AINSWORTH, *Secretary.*

## CONSIDERATION OF BILLS

House File No. 42, a bill for an act to amend, revise, and codify chapter three (3) of title five (5) of the compiled code of Iowa, and sections eight hundred twenty-three-a one (823-a1), eight hundred thirty-two (832), and eight hundred forty-three (843) of the supplement to said code, relating to employers' liability and workmen's compensation, with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of February 23d, were taken up and considered.

On motion of Potts of Lee committee amendment No. 1 was adopted.

Williams of Montgomery moved that further action on House File No. 42 be deferred and that the bill be ordered printed with the amendments proposed by the committee contained therein.

Williams of Montgomery asked unanimous consent to withdraw the motion and move to strike out the enacting clause to House File No. 42.

Objection was made to the withdrawal of the motion.

Potts of Lee moved as a substitute for the motion by Williams of Montgomery that further action on House File No. 42 be deferred and that the bill be made a special order for Wednesday, March 12th, at 11:00 a. m.

Hauge of Polk moved that the bill be rereferred to the committee on labor.

The motion by Hauge of Polk was ruled out of order.

Potts of Lee moved to amend his substitute motion by adding thereto the following: "and that five hundred (500) copies of the bill be ordered printed, with the proposed amendments inserted after each section to which the amendments apply."

Patterson of Kossuth moved that House File No. 42, with all pending amendments, be laid upon the table.

Potts of Lee raised the point of order that a motion to lay a bill on the table was out of order and that the motion of Patterson of Kossuth was therefore out of order.

The Speaker ruled that the point of order was well taken.

Patterson of Kossuth moved that all pending amendments to House File No. 42 be laid upon the table.

Clark of Linn asked if the gentlemen in charge of the bill would be willing to withdraw the motion to defer in favor of a motion to recommit.

Himebauch of Emmet asked unanimous consent to speak on the question asked by Clark of Linn concerning a proposed motion to recommit.

Objection was made.

Himebauch of Emmet moved that Ulstad of Wright be given an opportunity to speak on the question asked by Clark of Linn.

By a rising vote the motion, having received a two-thirds majority, prevailed.

On the question "Shall all pending amendments to House File No. 42 be laid upon the table?" a roll call was demanded.

The ayes were:

Brittain	Garber of Floyd	Long	Patterson
Clark	Hansen	Lovrien	Williams
Dewar	Johnson	Oliver	Wilson—13
Edge			

The nays were:

Alken	Brady	Donhowe	Frahm
Anderson of	Carter	Dooley	Gallagher
Webster	Children	Doolittle	Gesman
Berry	Colbert	Dotts	Gibson
Blake	Cole	Edson	Gilbert
Blume	Criswell	Fackler	Gilbertson
Bradley	Diltz	Forsling	Graham

Grimwood	Miller	Ramsey	Smith of
Harrison	Moen	Rassler	Chickasaw
Hattendorf	Napler	Rewoldt	Smith of Lucas
Held	Noble	Robson	Stookesberry
Hempel	O'Donnell	Rumley	Strippel
Himebauch	Ontjes	Rust	Ulstad
Knutson	Orr	Saunders	Venard
Leonard	Parsons	Schirmer	Wamstad
Letts	Peterson	Schulte	Wolfe
Lieberknecht	Potts	Scott of Fremont	Mr. Speaker—69
Mathews	Quirk	Slemmons	

Absent or not voting:

Buffington	Hollis	Natvig	Scott of
Elliott	Huff	Olson	Appanoose
Garber of Adair	King	Powers	Stock
Gilmore	Lake	Rankin	Storey
Hauge	Lichty	Rhinehart	Vincent
Healy	McClune	Sampson	Weber
Henderson	Matthiesen		Yenter—26

The motion to lay the amendments on the table was lost.

#### EXPLANATION OF VOTE

I voted for the motion to table the amendments to House File No. 42 on account of the refusal of the chairmen of the committee and subcommittee having charge of the bill to consent to a rereference of the bill to the committee, that amendments from the industrial commissioner, employers of the state, the insurance and casualty companies, and the public generally might be considered. The commissioners' bill makes more than one hundred modifications in the existing law, and the committee now proposes seventy-six amendments, without considering amendments that might be offered by these interests. I did not believe that the committee amendments or the bill should be forced on passage with the one-sided consideration which the committee had given. The House afterwards agreed with me and ordered a public hearing that all sides might be heard before the consideration of the bill.

C. F. CLARK.

The question before the House was: "Shall the amendment by Potts of Lee to his substitute motion that 500 copies of the bill with proposed amendments contained therein be ordered printed?"

Doolittle of Delaware raised the point of order that the amendment by Potts of Lee was not germane to the main question before the House to defer to a certain time.

The Speaker ruled that the point of order was well taken.

Forsling of Woodbury asked unanimous consent to authorize the chief clerk to order the printing of 500 copies of House File No. 42 with amendments proposed by the committee on labor in-

serted in parenthesis following the section to which each amendment applies.

No objection being made, it was so ordered.

Forsling of Woodbury moved the previous question on the substitute motion by Potts of Lee.

Motion prevailed.

On the question "Shall the substitute motion by Potts of Lee to defer action on the bill and to make it a special order for Wednesday, March 12th, at 11:00 a. m. prevail?" a roll call was demanded.

The ayes were:

Aiken	Forsling	Leonard	Saunders
Anderson of	Frahm	Letts	Schirmer
Webster	Gallagher	Long	Schulte
Berry	Garber of Floyd	Lovrien	Scott of Fremont
Blake	Gesman	Napier	Slemmons
Blume	Gibson	O'Donnell	Smith of
Bradley	Gilbert	Ontjes	Chickasaw
Brady	Gilbertson	Orr	Smith of Lucas
Carter	Gilmore	Parsons	Stookesberry
Children	Grimwood	Patterson	Strippel
Colbert	Harrison	Peterson	Ulstad
Cole	Hattendorf	Potts	Venard
Criswell	Healy	Quirk	Vincent
Diltz	Henderson	Ramsey	Wamstad
Donhowe	Himebauch	Rankin	Wilson
Dooley	Johnson	Rassler	Wolfe
Dotts	King	Rewoldt	Mr. Speaker—72
Edson	Knutson	Robson	
Fackler	Lake	Rust	

The nays were:

Brittain	Hauge	Lichty	Powers
Clark	Held	Mathews	Sampson
Dewar	Hempel	Moen	Williams—15
Edge	Hollis	Oliver	

Absent or not voting:

Buffington	Huff	Noble	Stock
Doolittle	Lieberknecht	Olson	Storey
Elliott	McClune	Rhinehart	Weber
Garber of Adair	Matthiesen	Rumley	Yenter—21
Graham	Miller	Scott of	
Hansen	Natvig	Appanoose	

The substitute motion by Potts of Lee prevailed, action on House File No. 42 was deferred and the bill was made a special order for Wednesday, March 12th at 11:00 a. m.

Edson of Buena Vista moved that a public hearing on House File No. 42, to be presided over by the chairman of the com-

mittee on labor, be held in the House chamber on Tuesday, March 11th, at 7:30 p. m.

Motion prevailed.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Edson of Buena Vista, Senate File No. 117, a bill for an act to amend, revise, and codify sections twenty-seven hundred ninety-nine (2799), twenty-eight hundred sixteen (2816), twenty-eight hundred twenty-six (2826) to twenty-eight hundred thirty-four (2834), inclusive, and section twenty-nine hundred forty-three (2943) of the compiled code of Iowa and of the supplement to said code, relating to the establishment, vacation, and alteration of highways, to the erection and maintenance of bridges, and to the condemnation, establishment, and improvement of primary roads in cities and towns, with Senate amendments to the House amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE FILE NO. 117

Amend the House amendment to section 10 by striking therefrom the following:

"Amend said section by striking out the period (.) after the word 'weeks' in line six (6) thereof and inserting a comma (,) and adding the following: 'and also by mailing to such owner and mortgagee of record, by registered mail, addressed to his last known address with a copy of such notice', and by inserting in lieu thereof the following:

"Amend said section by striking out the period (.) after the word 'weeks' in line six (6) thereof and inserting a comma (,) and adding the following: 'and also by mailing by registered mail a copy of such notice to such owner and mortgagee of record addressed to his last known address and the county auditor shall furnish to the board of supervisors his affidavit that such notice has been sent, which affidavit shall be conclusive evidence of the mailing of such notice.'"

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

On the question "Shall the House concur?"

The ayes were:

Aiken	Carter	Dewar	Frahm
Berry	Children	Dooley	Garber of Floyd
Blake	Colbert	Edson	Gibson
Blume	Cole	Fackler	Gilbert
Brittain	Criswell	Forsling	Gilmore

Graham	Letts	Robson	Strippel
Grimwood	Lichty	Rust	Venard
Hansen	Lieberknecht	Sampson	Vincent
Harrison	Long	Saunders	Williams
Hattendorf	Miller	Schirmer	Wilson
Hauge	Moen	Schulte	Wolfe
Healy	Napier	Scott of Fremont	Mr. Speaker—61
Held	Oliver	Slemmons	
Henderson	Ontjes	Smith of	
Hollis	Orr	Chickasaw	
Johnson	Parsons	Stookesberry	
Lake	Patterson.		

The nays were, none.

Absent or not voting:

Anderson of	Garber of Adair	Natvig	Rumley
Webster	Gesman	Noble	Scott of
Bradley	Gilbertson	O'Donnell	Appanoose
Brady	Hempel	Olson	Smith of Lucas
Buffington	Himebauch	Peterson	Stock
Clark	Huff	Potts	Storey
Diltz	King	Powers	Ulstad
Donhowe	Knutson	Quirk	Wamstad
Doolittle	Leonard	Ramsey	Weber
Dotts	Lovrien	Rankin	Yenter—47
Edge	McClune	Rassler	
Elliott	Mathews	Rewoldt	
Gallagher	Matthiesen	Rhinehart	

The House concurred in the Senate amendments to the House amendments to Senate File No. 117.

On request of Parsons of Calhoun, Senate File No. 123, a bill for an act to amend, revise, and codify chapter nine (9) of title eleven (11) and section twenty-nine hundred sixty-two (2962) of the compiled code of Iowa, relating to the township road system, the repair and improvement of the same, and the duties of the officers having jurisdiction thereover, with Senate amendments to the House amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE FILE NO. 123

(1) Amend the first House amendment to section 18 by striking out the period at the end thereof and inserting a comma and adding the following: "and in townships where the road drainage fund has an excess over the amount required for road drainage, the township may transfer such money to the township road fund, but in townships where no drainage fund is needed no levy shall be made therefor."

(2) Amend the second House amendment by striking therefrom the following: "Amend section two (2) by inserting between the words 'faithfully' and 'expend' in lines two (2) and three (3) the words 'and equitably'."

(3) Amend by striking out the House amendment to section 15.

(4) Amend the House amendment to section 18 by striking out of line 2 thereof the words "surplus or part thereof" and inserting in lieu thereof the word "monies".

A division of the amendments was asked for.

Mr. Parsons moved that the House concur in Senate amendment No. 1.

On the question "Shall the House concur?"

The ayes were:

Anderson of	Frahm	Knutson	Quirk
Webster	Gibson	Lake	Robson
Berry	Gilbert	Leonard	Saunders
Blume	Gilbertson	Letts	Schirmer
Bradley	Gilmore	Lichty	Schulte
Brittain	Graham	Long	Scott of Fremont
Colbert	Grimwood	Mathews	Slemmons
Criswell	Hansen	Miller	Smith of
Dewar	Hattendorf	Napier	Chickasaw
Donhowe	Hauge	O'Donnell	Stookesberry
Doolittle	Healy	Oliver	Strippel
Dotts	Held	Ontjes	Wilson
Edson	Hempel	Parsons	Wolfe
Fackler	Hollis	Peterson	Mr. Speaker—57
Forsling	Johnson	Potts	

The nays were:

Children	Dooley	Lieberknecht—3
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Absent or not voting:

Alken	Gesman	Orr	Smith of Lucas
Blake	Harrison	Patterson	Stock
Brady	Henderson	Powers	Storey
Buffington	Himebauch	Ramsey	Ulstad
Carter	Huff	Rankin	Venard
Clark	King	Rassler	Vincent
Cole	Lovrien	Rewoldt	Wamstad
Diltz	McClune	Rhinehart	Weber
Edge	Matthlesen	Rumley	Williams
Elliott	Moen	Rust	Yenter—48
Gallagher	Natvig	Sampson	
Garber of Adair	Noble	Scott of	
Garber of Floyd	Olson	Appanoso	

The House concurred in Senate amendment No. 1 to the House amendments to Senate File No. 123.

Mr. Parsons moved that the House refuse to concur in Senate amendment No. 2.

On the question "Shall the House concur?"

The ayes were:

Clark	Gilmore	Letts	Smith of
Edson	Held	Rust	Chickasaw—9
Gilbert	Henderson		

The nays were:

Aiken	Fackler	Knutson	Peterson
Anderson of Webster	Forsling	Lake	Potts
Berry	Frahm	Leonard	Powers
Blume	Gallagher	Lichty	Quirk
Bradley	Gesman	Lieberknecht	Robson
Brady	Gibson	Long	Saunders
Brittain	Gilbertson	Lovrien	Schirmer
Children	Graham	Mathews	Schulte
Colbert	Grimwood	Miller	Scott of Fremont
Cole	Hansen	Moen	Slemmons
Criswell	Harrison	Napier	Stookesberry
Dewar	Hattendorf	Noble	Strippel
Diltz	Healy	O'Donnell	Vincent
Donhowe	Hempel	Oliver	Wamstad
Dooley	Himebauch	Ontjes	Williams
Doolittle	Hollis	Orr	Wilson
Dotts	Johnson	Parsons	Wolfe
	King	Patterson	Mr. Speaker—71

Absent or not voting:

Blake	Huff	Rewoldt	Storey
Buffington	McClune	Rhinehart	Ulstad
Carter	Matthiesen	Rumley	Venard
Edge	Natvig	Sampson	Weber
Elliott	Olson	Scott of Appanoose	Yenter—28
Garber of Adair	Ramsey	Smith of Lucas	
Garber of Floyd	Rankin	Stock	
Hauge	Rassler		

The House refused to concur in Senate amendment No. 2 to the House amendments to Senate File No. 123.

Mr. Parsons moved that the House concur in Senate amendments Nos. 3 and 4.

On the question "Shall the House concur?"

The ayes were:

Aiken	Edson	Henderson	Robson
Anderson of Webster	Fackler	Hollis	Rust
Berry	Forsling	Johnson	Sampson
Blume	Frahm	King	Saunders
Bradley	Gallagher	Knutson	Schirmer
Brittain	Gesman	Letts	Scott of Fremont
Children	Gibson	Lieberknecht	Slemmons
Clark	Gilbert	Long	Smith
Colbert	Gilbertson	Mathews	of Chickasaw
Cole	Gilmore	Moen	Smith of Lucas
Dewar	Graham	Napier	Strippel
Diltz	Grimwood	Noble	Williams
Donhowe	Hansen	Orr	Wilson
Dooley	Harrison	Parsons	Wolfe—63
Doolittle	Hattendorf	Peterson	
Dotts	Healy	Powers	
	Held	Quirk	

The nays were:

Brady	Leonard	O'Donnell	Patterson
Criswell	Lichty	Oliver	Schulte
Himebauch	Miller	Ontjes	Wamstad—12

Absent or not voting:

Blake	Huff	Rankin	Storey
Buffington	Lake	Rassler	Ulstad
Carter	Lovrien	Rewoldt	Venard
Edge	McClune	Rhinehart	Vincent
Elliott	Matthiesen	Rumley	Weber
Garber of Adair	Natvig	Scott	Yenter
Garber of Floyd	Olson	of Appanoose	Mr. Speaker—33
Hauge	Potts	Stock	
Hempel	Ramsey	Stookesberry	

The House concurred in Senate amendments Nos. 3 and 4 to the House amendments to Senate File No. 123.

#### CONSIDERATION OF BILLS

House File No. 230, a bill for an act to amend, revise, and codify sections seventy-three hundred sixty-two (7362), seventy-three hundred ninety-two (7392) to seventy-three hundred ninety-four (7394), inclusive, seventy-three hundred ninety-six (7396) and seventy-three hundred ninety-eight (7398) of the compiled code of Iowa, relating to evidence, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Clark of Linn the amendments proposed by the committee, found in the Journal of February 28th, were adopted.

The following amendments filed by Forsling of Woodbury were taken up and considered:

Amend House File No. 230 by striking therefrom sections three (3) and four (4); also by amending the title to conform.

On motion of Mr. Forsling the amendments were adopted.

Mr. Clark moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Brittain	Edge	Gilbert
Anderson of	Children	Edson	Gilbertson
Webster	Clark	Fackler	Gilmore
Berry	Colbert	Forsling	Grimwood
Blake	Criswell	Frahm	Hansen
Blume	Dewar	Gallagher	Hattendorff
Bradley	Donhowe	Gesman	Hempel
Brady	Doolittle	Gibson	Henderson

Himebauch	Lovrien	Quirk	Smith of
Hollis	Mathews	Ramsey	Chickasaw
Johnson	Moen	Rewoldt	Smith of Lucas
King	Napier	Robson	Stookesberry
Knutson	Noble	Rust	Strippel
Lake	Oliver	Saunders	Venard
Letts	Ontjos	Schirmer	Williams
Lichty	Parsons	Schulte	Wilson
Lieberknecht	Peterson	Scott of Fremont	Mr. Speaker—69
Long	Potts	Slemmons	

The nays were:

Dilts	Miller	O'Donnell	Wolfe—5
Harrison			

Absent or not voting:

Buffington	Hauge	Orr	Scott of
Carter	Healy	Patterson	Appanoose
Cole	Held	Powers	Stock
Dooley	Huff	Rankin	Storey
Dotts	Leonard	Rassler	Ulstad
Elliott	McClune	Rhinehart	Vincent
Garber of Adair	Matthiesen	Rumley	Wamstad
Garber of Floyd	Natvig	Sampson	Weber
Graham	Olson		Yenter—34

So the bill having received a constitutional majority was declared to have passed the House.

Clark of Linn offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 230 by striking from lines two (2), three (3) and four (4) the following: "to seventy-three hundred ninety-four (7394), inclusive, seventy-three hundred ninety-six (7396)".

Amendment adopted and the title, as amended, was agreed to.

#### APPOINTMENT OF CONFERENCE COMMITTEE

As a conference committee on House File No. 126, the Speaker appointed the following members on the part of the House: Frahm of Carroll, Gallagher of Iowa, Fackler of Adams and Storey of Warren.

#### HOUSE FILE NO. 295 ORDERED PRINTED

Hauge of Polk moved that 500 copies of House File No. 295 be ordered printed.

Motion prevailed.

On motion of Anderson of Webster the House adjourned until 4:00 p. m. today.

## AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

## REPORTS OF COMMITTEES

Forsling 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. 296, a bill for an act to amend, revise and codify section one (1) of chapter 261 of the Fortieth General Assembly, relating to municipal 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, and when so amended the bill do pass:

Amend by adding as section two (2) the following:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Des Moines Daily News and the Iowa Unionist, newspapers published at Des Moines, Iowa.

L. B. FORSLING, *Chairman.*

Report adopted.

Moen of Lyon, from the special committee of nine, submitted the following report:

MR. SPEAKER: Your special committee of nine to whom was referred House File No. 14, a bill for an act to amend, revise, and codify sections two hundred forty-nine (249) to two hundred fifty-six (256), inclusive, two hundred fifty-eight (258) to two hundred sixty-one (261), inclusive, two hundred sixty-three (263) to two hundred sixty-nine (269) inclusive, two hundred seventy-two (272) and two hundred seventy-three (273) of the compiled code of Iowa, and sections two hundred forty-eight (248) and two hundred sixty-two (262) of the supplement to said code, relating to the executive council and to the powers, duties and employees 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, and when so amended the bill do pass:

(1) Amend section 11 by striking out of line five (5) the words "or against".

(2) Amend section 15 by inserting after the word "proceedings" in line four (4) the following: "and the secretary of the council shall at once file a copy of such proceedings with the auditor and treasurer of state."

(3) Strike from the bill sections thirty-two (32) to thirty-seven (37), inclusive.

(4) Strike from lines 4 and 5 of the title the following words and

figures: "two hundred seventy-two (272), and two hundred seventy-three (273)".

(5) Insert immediately after the parenthetical expression "(262)" in the seventh line of the title, the following: "and fifty-seven hundred forty-four (5744)".

(6) Strike from the fourth and fifth lines following the enacting clause the following words and figures: "two hundred seventy-two (272) and two hundred seventy-three (273)".

(7) Insert immediately after the parenthetical expression "(262)" in the sixth line following the enacting clause, the following: "and fifty-seven hundred forty-four (5744)".

T. E. MOEN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your special committee of nine to whom was referred House File No. 295, a bill for an act creating a county board for the appointment of local budget committees, and creating local budget committees, in counties having a population of one hundred twenty-five thousand, (125,000), or over, defining the powers and duties of such committees; providing for state supervision of the same by the state budget board; and providing penalties for a violation of the provisions 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.

T. E. MOEN, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your special committee of nine to whom was referred House File No. 18, a bill for an act to amend, revise, and codify section two hundred ninety-eight (298) of the compiled code of Iowa, and section two hundred ninety-seven (297) of the supplement to said code, relating to the reports of public 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 be amended as follows, and when so amended the bill do pass:

(1) Amend the title by adding thereto the following: "and fixing the biennial fiscal term".

(2) Also amend by striking therefrom all of sections two (2) and three (3).

T. E. MOEN, *Chairman*.

Report adopted.

#### AMENDMENTS FILED

Henderson of Hamilton filed the following amendments to the Substitute for House File No. 185:

Amend Substitute for House File No. 185 as follows:

- (1) Strike out sections 121, 121-a and 121-a1.
- (2) Insert immediately after section 116 the following:

**Sec. 116-a1. Improvement of common outlet.**

When two or more drainage districts outlet into the same ditch, drain, or natural watercourse and the board determines that it is necessary to clean out, deepen, enlarge, extend, or straighten said ditch, drain, or natural watercourse in order to expeditiously carry off the combined waters of such districts, the board may proceed as provided in the last preceding section. Each district shall be assessed for the cost of such work in proportion to the benefits derived.

**Sec. 116-a2. Commissioners to apportion district benefits.**

For the purpose of ascertaining the proportionate benefits, the board shall appoint commissioners having the qualifications of benefit commissioners, one of whom shall be an engineer, to determine the percentage of benefits and the sum total to be assessed to each district for the improvement.

**Sec. 116-a3. Time of report.**

When said commissioners are appointed, the board shall, by proper order, fix the time when the commissioners shall report their findings, but a report filed within thirty (30) days of the time so fixed shall be deemed a compliance with said order.

**Sec. 116-a4. Report and review thereof.**

The commissioners shall file with the board a detailed report of their findings. Said board shall review said report and may, by proper order, increase or decrease the amount which shall be charged to each district. If the amount finally charged against a district does not exceed ten per cent (10%) of the original cost of the improvement in said district, the board shall proceed to levy said amount against all lands, highways, and railway rights of way and property within the district, in accordance with the original classification and apportionment. If the amount finally charged against a district exceeds ten per cent (10%) of the original cost of the improvement, the board shall order a reclassification as provided in sections fifty-four (54) and fifty-five (55) hereof and upon the final adoption of the new classification and apportionment shall proceed to levy said amount upon all lands, highways and railway rights of way and property within the district, in accordance with said new classification and apportionment.

On motion of Hempel of Clayton the House adjourned until 9:45 a. m. Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 10, 1924.

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

Prayer was offered by the Rev. J. F. Baker, pastor of the Baptist church, Des Moines.

Journal of March 8th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Scott of Appanoose for the day, on request of Stookesberry of Davis; Clark of Linn for the day, on request of Doolittle of Delaware.

## RESOLUTION CONSIDERED

Rassler of Pocahontas called up the following resolution offered by Clark of Linn on February 23d:

*Be It Resolved by the House,* That all committees in whose hands remain bills not yet acted upon, be and they are hereby directed to give consideration to all bills regardless of what number they bear, and make report on the same at the earliest possible moment.

*Be It Further Resolved,* That all bills heretofore reported, and to be reported in the future, take their place on the calendar regardless of whether they be even or odd numbered bills.

On motion of Mr. Rassler the resolution was adopted.

## INTRODUCTION OF BILL

House File No. 298, by Hempel of Clayton, a bill for an act to legalize an expenditure of eleven hundred dollars (\$1100.00) and the issuance of warrant or warrants to fund said expenditure, for the town of Clayton, Iowa.

Read first and second times and referred to committee on judiciary.

## CONSIDERATION OF BILLS

## SPECIAL ORDER NO. 1

Substitute for House File No. 185, a bill for an act to amend, revise, and codify chapters one (1), two (2) and two-a (2-a) of title fifteen (15) of the compiled code of Iowa and of the supplement to said code, relating to levees, ditches, drains, and water-courses, and chapter two (2) of title eleven (11) of the compiled code of Iowa, relating to drainage of highways and highway drainage districts, was taken up for consideration.

The following amendment filed by Lovrien of Humboldt was taken up and considered:

Amend the Substitute for House File No. 185, section 116, as follows:

Amend by inserting in line twelve (12) of section 116 following the word "notice" the words: "as provided in sections sixteen (16), seventeen (17), eighteen (18), nineteen (19) and twenty (20)".

On motion of Mr. Lovrien the amendment was adopted.

The following amendments filed by Oliver of Monona were taken up and considered:

Amend Substitute for House File No. 185 as follows:

(1) Amend section six (6), line one (1), by striking out the words "Any person whose lands" and inserting in lieu thereof the following: "Any owners of at least twenty-five per cent (25%) of the lands which".

(2) Amend section thirteen (13), line one (1), by striking out the words "proceed to".

(3) Amend section fourteen (14), line one (1), by striking out the words "of his proceedings".

(4) Amend section twenty-five (25), line one (1), by inserting after the word "will" in line one (1), the words "effect the reclamation of said lands, will".

(5) Amend section twenty-six (26), line one (1), by striking out the words "proceed to".

(6) Amend section twenty-seven (27), line two (2), by striking out the words "proceed to".

(7) Amend section sixty-eight (68), line two (2), by striking out the period (.) after the word "cash" and add thereto the following: ", but this provision shall not apply when the aggregate assessments against tracts of land belonging to one person exceed twenty dollars (\$20.00)."

(8) Amend section one hundred sixty-eight (168), line five (5), by adding after the word "towns" the following: ", but no board of supervisors shall have power or authority to establish a drainage or levee district that lies wholly within the corporate limits of any city or town".

A division of the amendments was asked for.

Mr. Oliver moved the adoption of amendment No. 1.

Anderson of Webster moved the previous question on amendment No. 1.

Motion prevailed.

On the question "Shall amendment No. 1 be adopted?" a roll call was demanded.

The ayes were:

Alken	Forsling	Johnson	Ransey
Anderson of Webster	Frahm	Knutson	Robson
Berry	Gallagher	Lake	Rumley
Blake	Garber of Adair	Leonard	Schulte
Blume	Garber of Floyd	Letts	Scott of Fremont
Bradley	Gesman	Lieberknecht	Slemmons
Brittain	Gibson	Lovrien	Smith of Chickasaw
Buffington	Gilbertson	Matthiesen	Smith of Lucas
Carter	Gilmore	Napier	Stock
Colbert	Graham	Natvig	Stookesberry
Cole	Hattendorf	Noble	Venard
Criswell	Hauge	Oliver	Vincent
Dewar	Healy	Olson	Wamstad
Dooley	Held	Ontjes	Weber
Dotts	Hempel	Orr	Wolfe
Edge	Henderson	Patterson	Mr. Speaker—69
Fackler	Hiimebauch	Potts	
	Huff	Powers	

The nays were:

Brady	Hollis	O'Donnell	Saunders
Children	King	Parsons	Schirmer
Donhowe	Lichty	Rankin	Strippel
Doolittle	Long	Rust	Wilson—21
Edson	Mathews	Sampson	
Grimwood	Moen		

Absent or not voting:

Clark	Harrison	Rassler	Storey
Diltz	McClune	Rewoldt	Ulstad
Elliott	Miller	Rhinehart	Williams
Gilbert	Peterson	Scott of	Yenter—18
Hansen	Quirk	Appanoose	

Amendment No. 1 was adopted.

On motion of Oliver of Monona, amendments Nos. 2, 3, 5 and 6 were adopted.

Mr. Oliver moved the adoption of amendment No. 4.

Edson of Buena Vista offered the following amendment to amendment No. 4 and moved its adoption:

Amend amendment No. 4 by Oliver of Monona by striking out the word "reclamation" and inserting in lieu thereof the word "drainage".

Amendment to the amendment adopted.

Amendment, as amended, adopted.

Oliver of Monona moved the adoption of amendment No. 7.

Amendment No. 7 was rejected.

Criswell of Boone offered the following amendment to amendment No. 8 and moved its adoption:

Amend amendment No. 8 by striking the period at the end thereof and adding thereto the following: "nor in any case to establish any district for sewer purposes."

Amendment to the amendment adopted.

On motion of Oliver of Monona, amendment No. 8, as amended, was adopted.

Oliver of Monona offered the following amendment and moved its adoption:

Amend Substitute for House File No. 185, section twenty-three (23), lines one (1) and two (2), by striking therefrom the words "proceed to".

Amendment adopted.

Patterson of Kossuth offered the following amendment and moved its adoption:

Amend Substitute for House File No. 185 by striking therefrom all of section 118.

Amendment adopted.

The following amendment filed by Harrison of Pottawattamie was taken up and considered:

Amend Substitute for House File No. 185 as follows:

Following section 220 insert the following definitive section:

Sec. 220-a1. Definition of terms.

1. Within the meaning of this act, the term "board" shall embrace the board of supervisors, the joint boards of supervisors in case of inter-county levee or drainage districts, and the board of trustees in case of a district under trustee management.

2. The term "commissioner" shall mean the men appointed and qualified to classify lands, fix percentages of benefits, apportion and assess costs and expenses in any levee or drainage district.

3. The term "appraisers" shall mean the men appointed and qualified to ascertain the value of all land taken and the amount of damage arising from the construction of levee or drainage improvements.

On motion of Mr. Harrison the amendment was adopted.

The following amendments filed by Henderson of Hamilton were taken up and considered:

Amend Substitute for House File No. 185 as follows:

- (1) Strike out sections 121, 121-a and 121-a1.
- (2) Insert immediately after section 116 the following:

Sec. 116-a1. Improvement of common outlet.

When two or more drainage districts outlet into the same ditch, drain, or natural watercourse and the board determines that it is necessary to clean out, deepen, enlarge, extend, or straighten said ditch, drain, or natural watercourse in order to expeditiously carry off the combined waters of such districts, the board may proceed as provided in the last preceding section. Each district shall be assessed for the cost of such work in proportion to the benefits derived.

Sec. 116-a2. Commissioners to apportion district benefits.

For the purpose of ascertaining the proportionate benefits, the board shall appoint commissioners having the qualifications of benefit commissioners, one of whom shall be an engineer, to determine the percentage of benefits and the sum total to be assessed to each district for the improvement.

Sec. 116-a3. Time of report.

When said commissioners are appointed, the board shall, by proper order, fix the time when the commissioners shall report their findings, but a report filed within thirty (30) days of the time so fixed shall be deemed a compliance with said order.

Sec. 116-a4. Report and review thereof.

The commissioners shall file with the board a detailed report of their findings. Said board shall review said report and may, by proper order, increase or decrease the amount which shall be charged to each district. If the amount finally charged against a district does not exceed ten per cent (10%) of the original cost of the improvement in said district, the board shall proceed to levy said amount against all lands, highways, and railway rights of way and property within the district, in accordance with the original classification and apportionment. If the amount finally charged against a district exceeds ten per cent (10%) of the original cost of the improvement, the board shall order a reclassification as provided in sections fifty-four (54) and fifty-five (55) hereof and upon the final adoption of the new classification and apportionment shall proceed to levy said amount upon all lands, highways and railway rights of way and property within the district, in accordance with said new classification and apportionment.

On motion of Mr. Henderson the amendments were adopted.

Parsons of Calhoun offered the following amendment and moved its adoption:

Amend Substitute for House File No. 185 by striking from lines 10 and 11 of section 42 the following words "assessments and benefits as to railroad property" and inserting in lieu thereof the words "railroads except as otherwise provided".

Amendment adopted.

Robson of Greene offered the following amendment and moved its adoption:

Amend Substitute for House File No. 185 by adding at the end of section 27-a the following: "Provided, however, that the provisions of this section shall not be deemed to apply to highway drainage districts established under chapter 3-a of this act.

Amendment rejected.

Himebauch of Emmet moved that the House adjourn until 1:30 p. m. today.

Hauge of Polk moved to amend the motion by changing the hour from 1:30 p. m. to 2:30 p. m. today.

Amendment adopted.

Motion to adjourn, as amended, prevailed.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### BUSINESS PENDING

The House resumed consideration of Substitute for House File No. 185.

Johnson of Dickinson offered the following amendment and moved its adoption:

Amend Substitute for House File No. 185, section 43, by striking out of lines 7, 8 and 9 the words "all other highways, one-fourth out of the county road fund or county drainage fund, and three-fourths out of the" and insert the words "county roads out of the county road or county drainage fund and against township roads out of the".

Amendment adopted.

Himebauch of Emmet offered the following amendment and moved its adoption:

Amend Substitute for House File No. 185 by striking out section 217 and inserting in lieu thereof the following:

"Remonstrances signed by the same persons who are qualified to sign the petition may be filed in the office of the auditor and if the same persons petition and remonstrate they shall be counted on the remonstrance only."

Amendment adopted.

Himebauch of Emmet offered the following amendment and moved its adoption:

Amend Substitute for House File No. 185, section 56, line three (3), by inserting the following after the word "district" in said line: "owned by the persons to whom said warrants were issued".

Amendment adopted.

Edson of Buena Vista offered the following amendments:

Amend the Substitute for House File No. 185 as follows:

(1) Amend section 49 by striking from line twenty-four (24) the word "shall" and insert in lieu thereof the word "may".

(2) Amend section 52 by inserting after the word "person" in line 1 the words "company or corporation".

(3) Amend section 18 by striking out of line 2 the word "the" and insert in lieu thereof the word "any"; also by inserting after the word "improvement" in said line the words "under this act"; also by adding at the end of said section the following: "This instrument when filed as above provided shall apply to all subsequent proceedings under this act."

A division of the amendments was asked for.

Mr. Edson moved the adoption of amendment No. 1.

Amendment No. 1 rejected.

Mr. Edson moved the adoption of amendment No. 2.

Amendment No. 2 adopted.

Mr. Edson moved the adoption of amendment No. 3.

Amendment No. 3 adopted.

Donhowe of Story offered the following amendment and moved its adoption:

Amend Substitute for House File No. 185 by inserting the words "not to exceed" preceding the words "six per cent" wherever said words or words of like import do not already appear in said bill.

Amendment adopted.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend Substitute for House File No. 185, section 25, as amended, by inserting after the word "drainage" in line one (1) the words "or protection from overflow".

Amendment adopted.

Parsons of Calhoun moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Gallagher	Letts	Rewoldt
Anderson of	Garber of Adair	Lichty	Robson
Webster	Garber of Floyd	Lieberknecht	Rust
Berry	Gesman	Long	Sampson
Blake	Gibson	Lovrien	Saunders
Blume	Gilbert	McClune	Schirmer
Bradley	Gilbertson	Mathews	Schulte
Brady	Gilmore	Matthiesen	Scott of
Brittain	Graham	Miller	Appanoose
Buffington	Grimwood	Moen	Scott of Fremont
Carter	Hansen	Napier	Slemmons
Children	Harrison	Natvig	Smith of
Colbert	Hattendorf	Noble	Chickasaw
Cole	Hauge	O'Donnell	Smith of Lucas
Criswell	Healy	Oliver	Stock
Diltz	Held	Olson	Stookesberry
Donhowe	Hempel	Ontjes	Strippel
Dooley	Henderson	Parsons	Ulstad
Doolittle	Himebauch	Patterson	Vincent
Dotts	Hollis	Peterson	Wamstad
Edge	Huff	Potts	Weber
Edson	Johnson	Powers	Williams
Elliott	King	Quirk	Wilson
Fackler	Knutson	Ramsey	Wolfe
Forsling	Lake	Rankin	Mr. Speaker—100
Frahm	Leonard	Rassler	

The nays were, none.

Absent or not voting:

Clark	Orr	Rumley	Venard
Dewar	Rhinehart	Storey	Yenter—8

So the bill having received a constitutional majority was declared to have passed the House 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. 169, a bill for an act relating to municipal corporations.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 294, a bill for an act to legalize the transfer of funds by the city council of the city of Oskaloosa.

Also, that the Senate refuses to concur in the House amendments to Senate File No. 247, a bill for an act relating to carrying dangerous weapons and permits therefor.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 220, a bill for an act relating to municipal courts.

Also, that the Senate has amended and passed House File No. 82, a bill for an act relating to trustees to manage cemetery funds.

Also, that the Senate has amended and passed the Substitute for House File No. 54, a bill for an act relating to propagation and protection of fish, game, wild birds, and animals.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 69, a bill for an act relating to hotels, restaurants, food establishments, and cold storage plants.

L. W. AINSWORTH, *Secretary*.

## SENATE AMENDMENTS TO HOUSE FILE NO. 220

Amend section 14 by inserting after the word "maintenance" in line 4 of said section the following: "petitions for writs of habeas corpus,".

Amend section 15 thereof by inserting after the word "incorporated" in line 3 the words "city or". Also by inserting after the word "district" in line 4 of said section the words "other than the city in which said court is established".

Amend section 17 by inserting after the word "incorporated" in line 2 of said section the words "city or". Also by striking out the comma (,) after the word "towns" in said line 2 and inserting in lieu thereof the words "other than the city in which said court is established". Also amend section 17 of said bill by striking out the comma (,) following the words "mayor's court" in line 2 thereof.

Amend section 19 of said bill by striking out the word "towns" in line 3 of said section and inserting in lieu thereof "cities or towns in which said court is established".

Amend section 20 of said bill by striking out the word "towns" in line 2 of said section and inserting in lieu thereof the words "cities or towns

in which said court is established". Also amend section 20 of said bill by placing a comma (,) after the word "courts" in line 3 of said section and after the word "sections" in line 4 of said section:

Amend said bill by inserting the following after section 23:

"Sec. 23-a1. Change of venue.

Changes of venue may be taken from said court in all civil actions to the district court of the same or another county in the same manner, for like cause and with the same effect as the venue is changed from the district court. But in all civil cases, including actions on written contracts to be performed within the municipal district, where any party defendant shall, before any pleading is filed by him, file in said cause a motion for a change of venue to the district court of the county, supported by affidavit showing that such party defendant was not a resident of the municipal court district at the time of the commencement of the action, the cause, upon such motion, shall be transferred to the district court of the county."

Amend section 24 of said bill by inserting after the word "action" in line 1 of said section the words "within its jurisdiction".

Amend section 27 by striking out of lines 7 and 8 of said section the following words, "or other courts having jurisdiction thereof" and inserting in lieu thereof the following "courts".

Amend section 28 of said bill by inserting preceding line 1 the words "In class 'A' cases witnesses shall receive the same fees as witnesses in the district court".

Amend by striking out section 29 thereof, and inserting in lieu thereof the following:

"Sec. 29. Unless otherwise provided in this chapter, fees, costs and expenses payable in said court shall be the same as in the district court. In cases in class 'B', class 'C' and class 'D', fees, costs and expenses shall be the same as in the courts of justices of the peace. The bailiff may retain amount allowed to him by law for mileage and necessary actual expenses in addition to his salary. All other fees, fines, forfeitures, costs and expenses shall be turned over to the city treasurer by the officer collecting the same on or before the tenth day of each succeeding month, and the city treasurer shall forthwith pay to the county treasurer for the benefit of the school fund the portion of fines and forfeitures collected for the violation of state laws."

Amend section 31 by striking said section and inserting in lieu thereof the following:

Sec. 31. Jury list.

The commission, in presence and under the supervision of the judge of said court, if only one, and if more than one, a judge of said court designated by the judges thereof, shall, on the establishment of the court prepare from the poll books of the last preceding general election in the territory included in the municipal court district, a list equal in number to one-tenth (1/10) of all electors thereon qualified for jury service, which

shall be known as the 'jury list'; and shall before the last Monday in April following the general municipal election thereafter prepare such a list from the poll books of the preceding general municipal election."

Amend section 35 of said bill by striking out the words "but have not served" in line 5 of said section and inserting in lieu thereof "and excused from service".

Amend section 36 of said bill by striking therefrom the following words "The jury shall on all occasions consist of six (6) jurors; except in class 'A' cases a jury of twelve (12) may be demanded", and inserting in lieu thereof the following: "The jury shall consist of six (6) jurors, unless, in class 'A' cases, a jury of twelve (12) is demanded".

Amend section 41 of said bill by striking said section therefrom and substituting in lieu thereof the following:

"Sec. 41. The laws relating to appeals from judgments or orders of the district court, or a judge thereof, to the supreme court shall apply to judgments or orders of the municipal court or a judge thereof in all class 'A' actions. The laws applicable to the appeal from judgments in justice of the peace courts shall apply to judgments or orders of the municipal court, or a judge thereof, in class 'B', class 'C' and class 'D' actions. In class 'C' actions appeals may be taken from the judgment or order of the municipal court or a judge thereof direct to the supreme court the same as from the district court."

Amend section 42 by striking therefrom the following language in lines 1 and 2, "When a judgment of the court has been transcribed to the district court and thereafter appealed from and superseded" and inserting in lieu thereof the following: "Whenever a judgment of the court is appealed from and superseded and a transcript of the judgment has been, or thereafter shall be, filed in the district court,".

Amend section 43 by striking out lines 8, 9 and 10 thereof and inserting in lieu thereof the following: "All class 'A' actions and also all class 'C' actions in which the defendant shall, before trial, waive his right to an appeal to the district court, may be reported the same as in the district court and the reporter's fees shall be taxed therein as costs."

Amend section 49 of said bill by striking therefrom the following words in the last three lines thereof: "and it shall not be deemed to have carried unless it shall have received at least two-thirds (2/3) of all the votes cast at such election" and inserting in lieu thereof the following: "and approved by majority of the votes cast at such election voting on said question".

#### SENATE AMENDMENTS TO HOUSE FILE NO. 82

Amend section 1 by inserting immediately after the word "moneys" in line 4 the words "or property".

Amend section 3 by inserting immediately after the word "moneys" in line 2 the words "or other property".

Amend section 4 by inserting after the words "United States" in line 8 thereof the following: "federal farm loan bonds, bonds issued by authority of law by cities, towns, counties, school or drainage districts".

Amend section 12 by striking from line 5 the word "it" and inserting in lieu thereof the word "them".

Amend section 13 by striking from lines 3, 4, 5 and 6 the following language: "or municipal bonds, or certificates, or other evidence of indebtedness issued by authority of and in accordance with the laws of this or any state, when the same are at or above par, and", and inserting in lieu thereof the following: "federal farm loan bonds, bonds issued by authority of law by cities, towns, counties, school or drainage districts. Such money must be invested at the market value of such securities, and they".

#### SENATE AMENDMENTS TO SUBSTITUTE FOR HOUSE FILE NO. 54

Amend section 5 by striking from lines 2 and 4 the word and figure "two (2)" and insert in lieu thereof the word and figure "four (4)".

Amend section 7 by striking from line 3 the words "a detailed" and inserting in lieu thereof the words "an itemized".

Amend section 14 by striking from line 5 the words "or stocked meandered streams".

Amend section 24 by striking the words "or catfish" in line 2, and by striking the comma (,) following the word "pickerel" in the same line, and inserting in lieu thereof the word "or".

Amend section 24 by striking out of line 2 the word "bass" and inserting after the word "trout" in line 3 a comma (,) and the word "bass".

Amend by striking from section 24, line 5 after the word "length" the words "or any sunfish less than six (6) inches in length".

Amend section 25 by striking from line 4 the words "or one line with two hooks,".

Amend section 25 by striking from line 6 the words "or plug with not to exceed three single hooks or one three-hook gang".

Amend section 25 by striking from line 7 the word "thirtieth" and inserting in lieu thereof the word "fourteenth".

Amend by inserting immediately following section 32 the following:

"Sec. 32-a1. It shall be unlawful for any owner or his agent to remove or destroy any existing dam, or alter it in a way so as to lower the water level, without giving written notice to the state game warden ten (10) days prior to such removal or change."

Amend section 35 by striking from line 3 the word "skipjack" and inserting in lieu thereof the words "gizzard shad".

Amend section 38 by striking from lines 3 and 4 the words "of two and one-half (2½) inch mesh, stretch measure,".

Amend section 38 by striking from lines 4 and 5 the word and figures "July 4, 1923" and insert in lieu thereof the word and figures "March 1, 1924".

Amend by striking out section thirty-eight-a one (38-a1) and inserting in lieu thereof the following:

"Sec. 38-a1. Written reports shall be made to the state game warden, on forms prepared and furnished by him for that purpose, by each licensee at the expiration of such license, stating in detail the amount and kind of fish caught, the amount for which same were sold and the total value of each kind. The state game warden may refuse to issue subsequent licenses until such reports are filed."

Amend section 40 by inserting in line 6 between the semicolon (;) and the word "and" the words "yellow perch, seven (7) inches; sunfish, six (6) inches;"

Amend section 55, by striking from line 4 the words "November fourteenth" and substituting the words "November first".

Amend section 55 by adding after the word "house" in line six (6) the words "or destroy any skunk den, except for the protection of public or private property".

Amend section 56 by changing the period (.) at the end of line 19 to a comma (,) and adding thereafter the following: "provided, that the state game warden shall have authority, in his discretion, to except male Mongolian, ring-neck, English or Chinese pheasants from any or all of the provisions of this section throughout all or any portion of this state, and to provide the extent of such exception by resolution to that effect, notice of which resolution shall be published for at least one issue in each of the official newspapers of any county affected, and provided further, that a permit to hunt, take or kill male Mongolian, ring-neck, English or Chinese pheasants shall fix the same days as the opening date for all counties to which permits will be granted for that season and all the days for such permit shall be consecutive. The length of such exception shall not exceed five (5) days."

Amend section 74 by striking from the title of the section the words "not applicable" and insert in lieu thereof the words "on commercial shipments". Also, add at the end of this section the following: "Provided, however, that it shall be unlawful for any person, firm or corporation to ship any fish taken with licensed nets or seines unless there is attached to each container a tag stating the name and address of the consignor and consignee, the amount of each kind contained therein, the waters from which taken, and that same were taken with licensed nets or seines."

Amend by inserting immediately after section 74, the following:

"Sec. 74-a1. In the shipping of fish, whenever a container includes one or more fish that are contraband, the entire contents of the container shall be deemed contraband, and shall be seized by the state game warden, his assistants or deputies."

## SENATE AMENDMENTS TO HOUSE FILE NO. 69

Amend section 1, line 24, by inserting the word "retail" after the word "kitchen."

Amend section 2 by striking out of line 6 and line 7 the words "or restaurant".

Amend subsection 6 of section 5 by inserting after the word "works" in line 13 the following: "soda fountain."

Amend section 10, line 3, by adding after the period following the word "water" the following: "All new slaughterhouses shall be constructed with cement, vitrified brick, or tile, or other impervious material floors and killing beds."

Amend section 18 at the end of subsection 6 by changing the period (.) to a comma (,) and adding the following: "except the same be for immediate slaughter."

Amend section 22, line 3, by inserting after the word "and" the word "thoroughly".

Amend by striking out section 23, and inserting in lieu thereof the following:

"No person shall be allowed to sleep in any workroom of any food establishment in which food is prepared for sale, served, stored or sold."

Amend section 50, line 10, by inserting after the word "plant", the words "or plants".

Amend section 55, line 2 by inserting after the word "report" the words "upon blanks furnished by the department".

Amend section 63, line 3, by inserting after the comma (,) following the word "sale" the words "cooked or".

Amend section 64, line 2, by inserting after the word "sale" the words "to consumers".

Amend section 64 by adding the following after the period in line 4: "The operator of a cold storage plant shall label all goods with the date when stored, which date shall not be removed when goods are removed, and in determining whether goods are 'cold stored' the time same have been stored in different plants shall be added together and the aggregate shall be the time stored and shall be so marked when sold."

## SENATE MESSAGE CONSIDERED

Senate File No. 169, a bill for an act to amend, revise, and codify sections three thousand eight hundred thirty-five (3835), three thousand eight hundred forty-four (3844), three thousand eight hundred fifty (3850) to three thousand eight hundred sixty (3860), inclusive, three thousand eight hundred seventy-three (3873) to three thousand eight hundred seventy-seven (3877), inclusive, three thousand eight hundred seventy-nine (3879) to three thousand eight hundred eighty-eight (3888), inclusive,

three thousand eight hundred ninety (3890) to three thousand eight hundred ninety-six (3896); inclusive, three thousand eight hundred ninety-eight (3898) to three thousand nine hundred two (3902), inclusive, three thousand nine hundred four (3904), three thousand nine hundred six (3906), three thousand nine hundred seven (3907), three thousand nine hundred ten (3910), three thousand nine hundred eleven (3911), three thousand nine hundred sixteen (3916), three thousand nine hundred twenty (3920) to three thousand nine hundred twenty-five (3925), inclusive, three thousand nine hundred twenty-seven (3927), and three thousand nine hundred twenty-eight (3928) of the compiled code of Iowa, and sections three thousand eight hundred forty-nine (3849), three thousand eight hundred seventy-eight (3878), three thousand eight hundred eighty-seven-a one (3887-a1), three thousand eight hundred eighty-nine (3889), three thousand nine hundred three (3903), three thousand nine hundred twelve (3912) to three thousand nine hundred fifteen (3915), inclusive, three thousand nine hundred seventeen (3917) to three thousand nine hundred nineteen (3919), inclusive, three thousand nine hundred twenty-two-a one (3922-a1) to three thousand nine hundred twenty-two-a five (3922-a5), inclusive, and three thousand nine hundred twenty-six (3926) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined, and finds correctly enrolled:

Senate Files Nos. 41, 55 and 197.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 41, 55 and 197.

## AMENDMENTS FILED

Carter of Hardin filed the following amendments to Senate File No. 101:

Amend Senate File No. 101, section 9, line 10, by inserting between the word "all" and the word "precincts" the word "city".

Also amend section 9, line 11, by inserting after the word "elections" the following: "for the same territory".

Moen of Lyon filed the following amendment to House File No. 42:

Amend House File No. 42, section 65, by inserting after the word "annually" in line three (3) thereof the following: "for the biennium ending June thirtieth, nineteen hundred twenty-five (1925).".

Ontjes of Grundy filed the following amendments to House File No. 14:

Amend House File No. 14 by adding thereto the following sections:

Sec. 32. Whenever the executive council of the state is satisfied that an unlawful combination, pool or trust exists, whereby the free action of competition in the buying or selling of any article of commerce is restrained or prevented in this state, or whenever said council is satisfied that exorbitant and extortionate prices are being charged and received for essential products, such as food, fruit, gasoline, oil, coal, water and ice, said council is empowered to purchase such articles of commerce at wholesale or retail, and to sell the same at wholesale or retail within the state of Iowa at cost, plus the reasonable and necessary expense of handling.

Sec. 33. Prior to making any purchase the executive council shall adopt and make of record in the minutes of its official proceedings such rules and regulations as will insure a strict accounting for all moneys employed in such purchases and sales, and the replacement of any unexpended balance of such funds and any accumulation of the same in the funds from which drawn.

Sec. 34. The executive council shall have the power to cause the examination of the books, records and papers of any person, firm, or corporation that it believes is violating the law against combinations, pools or trusts, or is charging and receiving exorbitant and extortionate prices for such essential products, for the purpose of ascertaining the facts as to such violation, and as to the wholesale, factory or mine prices of any article of commerce, and whether there exists any such unlawful combination, pool or trust, or the charging and receiving of exorbitant and extortionate prices, and for that purpose to issue subpoenas requiring the attendance of witnesses and the production of books or papers. Such subpoenas shall be issued over the signature of the presiding officer of the executive council, except where there are other express provisions of law covering the manner of the issuance of subpoenas.

Sec. 35. There is hereby appropriated out of any unappropriated funds in the state treasury such amounts from time to time as the executive council shall require for the purpose of making purchases for the purpose of resale under the provisions of this act and for the purpose of paying any expenses of making investigations to ascertain whether or not there exists within the state any pool, unlawful combination or trust, or there is being charged or received exorbitant and extraordinary prices.

On motion of Blume of Crawford the House adjourned until 9:30 a. m. Tuesday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 11, 1924.

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

Prayer was offered by the Rev. Howard P. Young, pastor of the M. E. church, Woodward, Iowa.

Journal of March 10th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Matthiesen of Clinton for the forenoon, on request of Strippel of Benton; Gilbert of Marshall for the day, on request of Edson of Buena Vista; Orr of Keokuk for the day, on request of Smith of Lucas; Donhowe of Story for the day, on request of Bradley of Poweshiek; Doolittle of Delaware for the day, on request of Slemmons of Buchanan.

## PETITIONS

The following petitions urging the passage of a law providing for compulsory reading of the Bible in public schools were presented and referred to the committee on schools and textbooks:

By Scott of Appanoose, from citizens of Moravia and Mystic.

## TIME OF PUBLIC HEARING CHANGED

Edson of Buena Vista moved that the time of public hearing on House File No. 42 be changed from 7:30 p. m. to 3:00 p. m. today.

Motion prevailed.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 111, 171, 257, 263 and 295.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### REPORTS OF COMMITTEES

Gilbert of Marshall, from the committee on code revision, submitted the following report:

MR. SPEAKER: Your committee on code revision to whom was referred House File No. 3, a bill for an act relating to the committee on bills, beg leave to report they have 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. B. GILBERT, *Chairman.*

Report adopted and House File No. 3 was indefinitely postponed.

Buffington of Mills, from the committee on land titles, submitted the following report:

MR. SPEAKER: Your committee on land titles to whom was referred House File No. 77, a bill for an act to amend, revise and codify sections sixty-three hundred fifty-five (6355) to sixty-three hundred ninety-seven (6397), inclusive, and sixty-four hundred (6400) to sixty-four hundred five (6405), inclusive, of the compiled code of Iowa, relating to conveyances, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend section twenty-three (23), line five (5), by striking out the word "may" and substituting in lieu thereof the word "shall".

Also amend section forty-six (46) by placing a period after the word "instruments" in lines six and seven, and striking out the remainder of said section.

Also amend section forty-nine (49) by striking all of said section and substituting in lieu thereof the following:

"Every such instrument shall be recorded, as soon as practicable, in a suitable book to be kept by the recorder for that purpose, after which he shall complete the entries aforesaid, so as to show the book and page where the record is to be found".

Also amend section fifty (50) by striking all of said section.

C. R. BUFFINGTON, *Chairman.*

Report adopted.

Edson of Buena Vista, 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. 121, a bill for an act to amend, revise and codify chapters five (5) and eighteen (18) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to the county road, bridge, and culvert system, and taxation therefor and to toll bridges and ferries, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

(1) Amend section one (1) by striking out subsection one (1) and inserting in lieu thereof the following:

"1. A county road tax of not more than one (1) mill on all the taxable property in the county.

One-half ( $\frac{1}{2}$ ) 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.

1-a1. A county road building tax of not less than one (1) mill nor more than two (2) mills on all the taxable property in the county.

The proceeds of such levies, except such amount thereof as is paid to municipalities, shall be kept as a county road fund and shall be used, except as otherwise provided, solely for the purchase of road tools, machinery, and equipment for the drainage of roads, for filling over culverts and bridge approaches, for the elimination of dangers at railroad crossings on both county and township roads, and for work on the county road system."

(2) Amend subsection three (3) of section one (1) by striking the words "in the" at the end of line twenty-six (26) and the words "payment of" in line twenty-seven (27) and inserting in lieu thereof the words "to pay for". Also by striking the word "of" in line twenty-eight (28) and inserting in lieu thereof the word "for".

(3) Amend section four (4) by striking out all of the last sentence.

(4) Amend section seven (7) by striking the word "general" in line four (4).

(5) Amend section twelve (12) by inserting the words "state highway" before the word "commission" in line two (2).

(6) Amend section twenty-three (23) by striking out the word "equally" in line six (6); also the word "and" following the word "primary" in line six (6) and substituting in lieu thereof the word "or".

(7) Amend section twenty-four (24) by inserting after the word "parties" in line four (4) the words "or municipal corporations". Also by inserting the words "streets or" after the word "any" in line five (5). Also by inserting the words "streets or" after the word "such" in line seven (7).

(8) Amend section twenty-eight (28) by striking out the last sentence.

(9) Amend section thirty (30), line five (5) by inserting the word "Temporary" at the beginning of the line. Also by striking the word "trustees" in line eight (8) and substituting the word "supervisors".

(10) Amend section thirty-four (34) by adding at the end of said section the following: The provision requiring authorization from the voters shall not apply to bridges on the primary road system built entirely out of the primary road funds where there are sufficient funds on hand to complete the construction of such bridge and costing not to exceed seventy thousand dollars (\$70,000).

(11) Amend section forty (40) by inserting after the word "fill" in line three (3) the following: "over with dirt". Also by inserting after the word "and" the words "fill in and".

(12) Amend section forty-one (41) by inserting after the word "shall" in line one (1) the words "when necessary".

W. C. Ebson, *Chairman*.

Report adopted.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 144  
CONSIDERED

The report of the conference committee on House File No. 144, found in the House Journal of March 6th, was taken up and considered.

Clark of Linn moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Aiken	Dotts	Himebauch	Noble
Anderson of	Edge	Hollis	Oliver
Webster	Edson	Huff	Ontjes
Berry	Fackler	Johnson	Parsons
Blake	Forsling	King	Patterson
Blume	Frahm	Knutson	Peterson
Bradley	Gallagher	Leonard	Powers
Brady	Gesman	Letts	Rankin
Brittain	Gibson	Lichty	Rewoldt
Buffington	Gilbertson	Lieberknecht	Rhinehart
Carter	Gilmore	Long	Robson
Children	Graham	Lovrien	Rumley
Clark	Grimwood	McClune	Rust
Colbert	Harrison	Mathews	Sampson
Cole	Hattendorf	Miller	Saunders
Criswell	Held	Moen	Schirmer
Dewar	Hempel	Napier	Schulte
Dooley	Henderson	Natvig	

Scott of Appanoose	Smith of Lucas Stock	Ulstad Venard	Wilson Wolfe
Scott of Fremont	Stookesberry	Wamstad	Mr. Speaker—87
Slemmons	Storey	Weber	
Smith of Chickasaw	Strippel	Williams	

The nays were, none.

Absent or not voting:

Diltz	Gilbert	Matthiesen	Quirk
Donhowe	Hansen	O'Donnell	Ramsey
Doolittle	Hauge	Olson	Rassler
Elliott	Healy	Orr	Vincent
Garber of Adair	Lake	Potts	Yenter—21
Garber of Floyd			

The report of the conference committee on House File No. 144 and the amendments proposed by said conference committee were adopted.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Knutson of Cerro Gordo, Substitute for House File No. 54, a bill for an act to amend, revise, and codify chapters fifteen (15) and sixteen (16) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to propagation and protection of fish, game, wild birds, and animals, with Senate amendments, found in the House Journal of March 10th, was taken up and the amendments read and considered.

Mr. Knutson moved that the House refuse to concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were:

Anderson of Webster	Gilbertson Mathews	Noble Scott of Appanoose	Slemmons Stookesberry Venard—14
Berry	Miller		
Dooley	Napier		
Forsling	Natvig		

The nays were:

Aiken	Children	Edson	Gilmore
Blake	Clark	Fackler	Grimwood
Blume	Colbert	Frahm	Harrison
Bradley	Criswell	Gallagher	Hattendorf
Brittain	Dewar	Garber of Floyd	Hauge
Buffington	Dotts	Gesman	Healy
Carter	Edge	Gibson	Held

Hempel	Long	Rankin	Smith of Lucas
Henderson	Lovrien	Rewoldt	Stock
Himebauch	McClune	Rhinehart	Storey
Hollis	Moen	Robson	Strippel
Huff	Oliver	Rumley	Wamstad
Johnson	Ontjes	Rust	Weber
King	Parsons	Sampson	Williams
Knutson	Patterson	Saunders	Wilson
Lake	Peterson	Schirmer	Wolfe
Leonard	Potts	Schulte	Mr. Speaker—76
Letts	Powers	Scott of Fremont	
Lichty	Quirk	Smith of	
Lieberknecht	Ramsey	Chickasaw	

Absent or not voting:

Brady	Elliott	Matthiesen	Rassler
Cole	Garber of Adair	O'Donnell	Ulstad
Diltz	Gilbert	Olson	Vincent
Donhowe	Graham	Orr	Yenter—18
Doolittle	Hansen		

The House refused to concur in the Senate amendments to Substitute for House File No. 54.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 94, 142, 212, and 292.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### HOUSE INSISTS ON AMENDMENTS

Forsling of Woodbury moved that the House insist upon its amendments to Senate File No. 247.

Motion prevailed.

#### CONSIDERATION OF BILLS

Senate File No. 43, a bill for an act to amend, revise, and codify sections eight hundred fifty-nine (859), eight hundred sixty-one (861), eight hundred sixty-two (862), and eight hundred eighty-three (883) of the compiled code of Iowa, and section eight hundred sixty (860) of the supplement to said code, relating to health and safety appliances and industrial accidents, with report of committee recommending passage, was taken up for consideration.

Blake of Fayette moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Adair	Lieberknecht	Schirmer
Anderson of Webster	Garber of Floyd	Long	Schulte
Berry	Gesman	Lovrien	Scott of Appanoose
Blake	Gibson	McClune	Scott of Fremont
Blume	Gilbertson	Mathews	Slemmons
Bradley	Gillmore	Miller	Smith of Chickasaw
Brady	Graham	Moen	Smith of Lucas
Brittain	Grimwood	Napier	Stock
Buffington	Hansen	Natvig	Stookesberry
Carter	Harrison	Noble	Storey
Colbert	Hattendorf	Oliver	Strippel
Cole	Hauge	Ontjes	Ulstad
Criswell	Healy	Parsons	Venard
Dewar	Held	Patterson	Vincent
Diltz	Hempel	Peterson	Wamstad
Dooley	Henderson	Powers	Weber
Dotts	Himebauch	Quirk	Williams
Edge	Hollis	Ramsey	Wilson
Edson	Huff	Rankin	Wolfe
Elliott	Johnson	Rassler	Mr. Speaker—94
Fackler	King	Rewoldt	
Forsling	Knutson	Rhinehart	
Frahm	Leonard	Robson	
Gallagher	Letts	Rust	
	Lichty	Saunders	

The nays were, none.

Absent or not voting:

Children	Gilbert	Olson	Rumley
Clark	Lake	Orr	Sampson
Donhowe	Matthiesen	Potts	Yenter—14
Doolittle	O'Donnell		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 296, a bill for an act to amend, revise, and codify section one (1) of chapter 261 acts of the Fortieth General Assembly, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Hauge of Polk the amendments proposed by the committee, found in the Journal of March 8th, were adopted.

Mr. Hauge moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blake	Gibson	Lieberknecht	Sampson
Blume	Gilbertson	Long	Saunders
Bradley	Gilmore	Lovrien	Schirmer
Brady	Graham	McClune	Schulte
Brittain	Grimwood	Mathews	Scott of Fremont
Buffington	Hansen	Moen	Slemmons
Clark	Harrison	Napier	Smith of
Colbert	Hattendorf	Natvig	Chickasaw
Cole	Hauge	O'Donnell	Smith of Lucas
Criswell	Healy	Oliver	Stock
Dewar	Held	Ontjes	Stookesberry
Diltz	Hempel	Parsons	Storey
Dotts	Henderson	Patterson	Strippel
Elliott	Himebauch	Peterson	Venard
Fackler	Hollis	Potts	Vincent
Forsling	Johnson	Powers	Weber
Gallagher	King	Quirk	Wilson
Garber of Adair	Knutson	Rhinehart	Wolfe
Garber of Floyd	Letts	Robson	Yenter
Gesman	Lichty	Rumley	Mr. Speaker—79

The nays were:

Carter	Edson	Rassler	Rust—6
Dooley	Miller		

Absent or not voting:

Aiken	Edge	Noble	Scott of
Anderson of	Frahm	Olson	Appanoose
Webster	Gilbert	Orr	Ulstad
Berry	Huff	Ramsey	Wamstad
Children	Lake	Rankin	Williams—23
Donhowe	Leonard	Rewoldt	
Doolittle	Matthiesen		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SPECIAL ORDER MADE

On request of Hauge of Polk, unanimous consent having been obtained, House File No. 295 was made a special order for Thursday, March 13th, at 10:00 a. m.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following

bills: House Files Nos. 94, 142, 212 and 292; Senate Files Nos. 111, 171, 257, 263 and 295.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this eleventh day of March, 1924, sent to the Governor for his approval:

House Files Nos. 94, 142, 212 and 292.

C. F. LETTS, *Chairman.*

Report adopted.

#### AMENDMENTS FILED

Carter of Hardin filed the following amendment to Senate File No. 101:

Amend Senate File No. 101, section 19, line 2, by striking out the word "may" and inserting in lieu thereof the word "shall".

Scott of Fremont filed the following amendment to Senate File No. 101:

Amend Senate File No. 101, section 10, line four (4), by inserting between the words "town" and "district" the words "and consolidated". Also, amend said section by adding thereto the following:

"In the application of the absent voters' law, the secretary of the board shall perform the duties therein imposed upon the county auditor or clerk of the city or town. A tie vote for any elective school office shall be publicly determined by lot forthwith, under the direction of the board canvassing the returns."

On motion of Smith of Chickasaw the House adjourned until 9:30 a. m. Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 12, 1924.

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

Prayer was offered by the Rev. C. W. Cornn, pastor of the Christian church, Bloomfield, Iowa.

Journal of March 11th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Lake of Woodbury for the day, on request of Edge of Jasper.

## PETITIONS

Blume of Crawford presented a resolution from the Chamber of Commerce, Manilla, urging an amendment to the primary road law permitting county bond money to be used for graveling of roads. Referred to committee on roads and highways.

## APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 247

As a conference committee on Senate File No. 247, the Speaker appointed the following members on the part of the House: Diltz of Polk, Johnson of Dickinson, Rankin of Lee and Forsling of Woodbury.

## INTRODUCTION OF BILL

Unanimous consent having been obtained to suspend the rule prohibiting the introduction of bills, the following bill was introduced:

House File No. 299, by committee on land titles, a bill for an act to amend section three (3) of chapter three hundred twenty-six (326) of the acts of the Fortieth General Assembly, relating to the commission on land titles.

Read first and second times and passed on file.

Elliott of Scott offered the following concurrent resolution:

CONCURRENT RESOLUTION NO. 12

*Resolved by the House, the Senate concurring,* That the special session of the Fortieth General Assembly recess from Wednesday, March 26, 1924, to reconvene ten o'clock A. M., Tuesday, September 30, 1924.

Laid over under rule 34.

Elliott of Scott offered the following concurrent resolution:

CONCURRENT RESOLUTION NO. 13

*Be It Resolved by the House, the Senate concurring:* That the executive council and the architect appointed by the board of control of state institutions, acting jointly, are hereby directed to report in writing to the regular session of the Forty-first (41) General Assembly, and immediately upon the convening of said session, general plans and specifications for the proper ventilation of the Senate and House chambers, including special reference to the subject of humidity. Said report shall state the estimated cost of installing such system of ventilation.

Laid over under rule 34.

CONSIDERATION OF SENATE AMENDMENTS

On request of Clark of Linn, House File No. 82, a bill for an act to amend, revise, and codify chapter twelve (12) of title twenty-three (23) of the compiled code of Iowa, and of the supplement to said code, relating to trustees to manage cemetery funds, with Senate amendments found in the House Journal of March 10th, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Carter	Doolittle	Gibson
Webster	Children	Dotts	Gilbert
Berry	Clark	Edge	Gilbertson
Blake	Colbert	Edson	Graham
Blume	Cole	Elliott	Grimwood
Bradley	Criswell	Frahm	Hauge
Brady	Dewar	Gallagher	Healy
Brittain	Dooley	Garber of Floyd	Held

Hempel	Matthiesen	Rankin	Smith of
Henderson	Moen	Rassler	Chickasaw
Hollis	Napier	Rhinehart	Smith of Lucas
Huff	Natvig	Robson	Stock
King	Noble	Rumley	Stookesberry
Knutson	Olson	Rust	Storey
Leonard	Ontjes	Sampson	Strippel
Letts	Orr	Schirmer	Venard
Lieberknecht	Parsons	Schulte	Weber
Long	Peterson	Scott of	Williams
Lovrien	Potts	Appanoose	Wilson
McClune	Quirk	Scott of Fremont	Wolfe
Mathews	Ramsey	Slemmons	Mr. Speaker—81

The nays were, none.

Absent or not voting:

Aiken	Gesman	Lake	Rewoldt
Buffington	Gilmore	Lichty	Saunders
Diltz	Hansen	Miller	Ulstad
Donhowe	Harrison	O'Donnell	Vincent
Fackler	Hattendorf	Oliver	Wamstad
Forsling	Himebauch	Patterson	Yenter—27
Garber of Adair	Johnson	Powers	

The House concurred in the Senate amendments to House File No. 82.

#### CONSIDERATION OF BILLS

##### SPECIAL ORDER NO. 1

Senate File No. 101, a bill for an act to amend, revise, and codify sections two thousand five hundred thirty-five (2535) to two thousand five hundred thirty-seven (2537), inclusive, two thousand five hundred forty-two (2542) to two thousand five hundred forty-four (2544), inclusive, two thousand five hundred forty-nine (2549) to two thousand five hundred fifty-three (2553), inclusive, two thousand five hundred fifty-seven (2557), two thousand five hundred fifty-nine (2559), two thousand five hundred sixty (2560), and two thousand five hundred sixty-seven (2567) of the compiled code of Iowa, and sections two thousand five hundred forty-five-a one (2545-a1) to two thousand five hundred forty-five-a four (2545-a4), inclusive, two thousand five hundred fifty-eight-a one (2558-a1), and two thousand five hundred seventy-eight (2578) of the supplement to said code, relating to education and to provide tuition for children in certain charitable institutions, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Sampson of Audubon the amendments proposed by the committee, found in the Journal of February 27th, were adopted.

The following amendment filed by Knutson of Cerro Gordo was taken up and considered:

Amend Senate File No. 101 by striking the word "shall" as it appears in line eight (8) of section thirty-four (34) and inserting in lieu thereof the word "may".

Carter of Hardin offered the following amendment as a substitute for the amendment proposed by Knutson of Cerro Gordo:

Amend Senate File No. 101, section 34, by striking out the period (.) at the end thereof and adding the following: "but in no case shall the tuition exceed ninety dollars (\$90.00) per year".

Substitute amendment rejected.

Knutson of Cerro Gordo moved the adoption of his amendment and demanded a roll call.

On the question "Shall the amendment by Knutson of Cerro Gordo be adopted?"

The ayes were:

Blake	Doolittle	Knutson	Rhinehart
Colbert	Dotts	Matthiesen	Rumley
Cole	Forsling	O'Donnell	Scott of Fremont
Dewar	Gilmore	Ramsey	Stookesberry—21
Diljz	Healy	Rankin	
Dooley	Huff		

The nays were:

Aiken	Gesman	McClune	Scott of
Anderson of	Gibson	Mathews	Appanoose
Webster	Gilbert	Miller	Slemmons
Berry	Gilbertson	Moen	Smith of
Blume	Graham	Napier	Chickasaw
Bradley	Grimwood	Natvig	Smith of Lucas
Brady	Hansen	Noble	Stock
Brittain	Hattendorf	Oliver	Storey
Buffington	Hauge	Olson	Strippel
Carter	Held	Ontjes	Ulstad
Children	Hempel	Orr	Venard
Clark	Henderson	Parsons	Vincent
Criswell	Johnson	Patterson	Wamstad
Edson	King	Quirk	Weber
Elliott	Leonard	Rassler	Wilson
Fackler	Letts	Rewoldt	Wolfe
Frahm	Lichty	Robson	Mr. Speaker—74
Gallagher	Lieberknecht	Sampson	
Garber of Adair	Long	Schirmer	
Garber of Floyd	Lovrien	Schulte	

## Absent or not voting:

Donhowe	Hollis	Potts	Saunders
Edge	Lake	Powers	Williams
Harrison	Peterson	Rust	Yenter—13
Himebauch			

Amendment by Knutson of Cerro Gordo rejected.

The following amendments filed by Carter of Hardin were taken up and considered:

Amend Senate File No. 101, section 9, line 10, by inserting between the word "all" and the word "precincts" the word "city".

Also amend section 9, line 11, by inserting after the word "elections" the following: "for the same territory".

Clark of Linn offered the following amendment as a substitute for the amendments proposed by Carter of Hardin:

Amend Senate File No. 101, section 9, line 10, by striking out the word "shall" following the word "machines" and inserting in lieu thereof the word "may".

On motion of Mr. Clark the amendment was substituted for the amendments by Carter of Hardin.

On motion of Mr. Clark the substitute amendment was adopted.

The following amendment filed by Carter of Hardin was taken up and considered:

Amend Senate File No. 101, section 19, line 2, by striking out the word "may" and inserting in lieu thereof the word "shall".

On motion of Mr. Carter the amendment was adopted.

Scott of Appanoose offered the following amendment and moved its adoption:

Amend Senate File No. 101 by inserting in section 9 and immediately after the word "districts" in line 1, the following: "and in all independent town, city, and consolidated school districts,".

Amendment adopted.

The following amendments filed by Scott of Fremont were taken up and considered:

Amend Senate File No. 101, section 10, line four (4), by inserting between the words "town" and "district" the words "and consolidated". Also, amend said section by adding thereto the following:

"In the application of the absent voters' law, the secretary of the board shall perform the duties therein imposed upon the county auditor or clerk of the city or town. A tie vote for any elective school office shall be pub-

lily determined by lot forthwith, under the direction of the board canvassing the returns."

On motion of Mr. Scott the amendments were adopted.

Storey of Warren offered the following amendment and moved its adoption:

Amend Senate File No. 101, section 6, by striking out the last two (2) words of said section and inserting in lieu thereof the words "for a reasonable compensation to be fixed by the board".

Amendment rejected.

Rankin of Lee offered the following amendment and moved its adoption:

Amend Senate File No. 101, section 12, by striking therefrom all of line fourteen (14) and all of line fifteen (15) preceding the word "shall".

Amendment adopted.

Wamstad of Mitchell offered the following amendment and moved its adoption:

Amend Senate File No. 101, section 10, line four (4), by striking out the word "and" and inserting in lieu thereof a comma (,).

Amendment adopted.

Sampson of Audubon moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Edson	Hempel	Natvig
Anderson of	Elliott	Henderson	Noble
Webster	Fackler	Himebauch	O'Donnell
Blake	Forsling	Hollis	Oliver
Blume	Frahm	Huff	Olson
Bradley	Gallagher	Johnson	Ontjes
Brady	Garber of Adair	King	Orr
Brittain	Garber of Floyd	Knutson	Parsons
Buffington	Gesman	Leonard	Patterson
Carter	Gibson	Letts	Peterson
Children	Gilbert	Lichty	Potts
Clark	Gilbertson	Lieberknecht	Powers
Colbert	Gilmore	Long	Quirk
Criswell	Grimwood	Lovrien	Ramsey
Dewar	Hansen	McClune	Rankin
Diltz	Harrison	Mathews	Rassler
Dooley	Hattendorf	Matthiesen	Rewoldt
Doolittle	Hauge	Miller	Rhinehart
Dotts	Healy	Moen	Robson
Edge	Held	Napier	Rumley

Rust	Scott of	Stock	Vincent
Sampson	Appanoose	Stookesberry	Wamstad
Saunders	Slemmons	Storey	Weber
Schirmer	Smith of	Strippel	Williams
Schulte	Chickasaw	Ulstad	Wilson
Scott of Fremont	Smith of Lucas	Venard	Mr. Speaker—101

The nays were, none.

Absent or not voting:

Berry	Donhowe	Lake	Yenter—7
Cole	Graham	Wolfe	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SPECIAL ORDER NO. 2

House File No. 42, a bill for an act to amend, revise, and codify chapter three (3) of title five (5) of the compiled code of Iowa, and sections eight hundred twenty-three-a one (823-a1), eight hundred thirty-two (832), and eight hundred forty-three (843) of the supplement to said code, relating to employers' liability and workmen's compensation, was taken up for further consideration.

The amendments proposed by the committee, found in the Journal of February 23d, were taken up for further consideration.

Potts of Lee moved the adoption of committee amendment No. 2.

A division of the amendment was asked for and, on request of Potts of Lee, the amendments to lines two (2) and three (3) were considered as the first part, and the amendment to line four (4) was considered as the second part of committee amendment No. 2.

Diltz of Polk offered the following amendment as a substitute for the first part of committee amendment No. 2:

Amend line two (2) of section eight (8) by inserting after the word "employer" the words "to furnish or failure"; also, amend line three (3) by striking the word "furnish".

On motion of Mr. Diltz the amendment was substituted for part one (1) of committee amendment No. 2.

On motion of Mr. Diltz the substitute amendment was adopted.

Diltz of Polk offered the following amendment to part two (2) of committee amendment No. 2:

Amend part two (2) of committee amendment No. 2 by inserting preceding the word "rule" the following: "statutory."

On motion of Mr. Diltz the amendment to the amendment was adopted.

On motion of Potts of Lee, committee amendment No. 2, as amended, was adopted.

On motion of Matthews of Des Moines the House adjourned until 3:00 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### BUSINESS PENDING

The House resumed consideration of House File No. 42.

Potts of Lee moved the adoption of committee amendment No. 3.

Diltz of Polk offered the following amendment to committee amendment No. 3 and moved its adoption:

Amend committee amendment No. 3 by inserting after the word "selecting" in the last line thereof the word "reasonably".

Amendment to the amendment adopted.

On motion of Mr. Potts committee amendment No. 3, as amended, was adopted.

Diltz of Polk offered the following amendment to section fifteen (15) of House File No. 42 and moved its adoption:

Amend House File No. 42, section 15, line 10, by inserting after the word "selecting" the word "reasonably".

Amendment adopted.

Clark of Linn offered the following amendment to section 15 and moved its adoption:

Amend House File No. 42, section 15, subsection 3, by striking out all after the word "negligence" in line twelve (12) thereof and inserting in lieu thereof the following: "was wilful and with intent to cause the injury; or the result of intoxication on the part of the injured party".

Amendment adopted.

Doolittle of Delaware offered the following amendment to section 19 and moved its adoption:

Amend House File No. 42, section 19, subsection 3. by striking out the words "and proximate cause" in line nine (9) thereof.

Forsling of Woodbury offered the following amendment as a substitute for the amendment offered by Doolittle of Delaware:

Amend House File No. 42, section 19, subsection 3, by striking out the period (.) at the end thereof and inserting the following: "when the employer has rejected the provisions of this chapter."

Doolittle of Delaware raised the point of order that the intent of the substitute amendment offered by Forsling of Woodbury was to leave the section just as it is and that the substitute amendment was therefore out of order.

The Speaker ruled that the point of order was well taken.

On motion of Mr. Doolittle the amendment proposed by him was adopted.

Rankin of Lee offered the following amendment and moved its adoption:

Amend House File No. 42, section 19, as follows:

Strike out the numeral one (1) in line five (5); insert a colon (:) after the word "presumed"; insert the numeral one (1) after said colon; strike out the period (.) at the end of line seven (7) and insert in lieu thereof a semicolon (;); strike out the numeral three (3) in line eight (8) thereof and insert in lieu thereof the following "In such cases".

Amendment adopted.

On motion of Potts of Lee committee amendment No. 4 was adopted.

Potts of Lee moved the adoption of committee amendment No. 5.

Committee amendment No. 5 was rejected.

On motion of Potts of Lee committee amendment No. 7 was adopted.

On motion of Potts of Lee committee amendment No. 8 was adopted.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on March 12th, approved the following bills: House Files Nos. 94, 142, 212 and 292.

## AMENDMENTS FILED

Dooley of Van Buren filed the following amendment to House File No. 121:

Amend House File No. 121 by inserting immediately after section 30 the following:

Sec. 30-a1. Liability of county for damages.

After the board of supervisors has been notified that any bridge or bridges included in subsection 3 of the preceding section are out of repair and they neglect to put the same in repair, the said county shall be liable for damage.

Oliver of Monona filed the following amendment to House File No. 42:

Amend House File No. 42 as follows:

Strike the period (.) after the word "pursuits" in line three (3) of section one (1) and insert in lieu thereof a comma (,) and add the words: "or any operations immediately connected therewith, whether on or off the premises of the employer."

Johnson of Dickinson filed the following amendment to House File No. 42 as a substitute for the amendment filed by Oliver of Monona:

Amend House File No. 42 by striking out of lines two (2) and three (3), section one (1), the words "farm or other laborer engaged in agricultural pursuits". Also by striking the comma (,) after the word "servant" and substitute therefor a period (.) and by inserting as subsection two-a (2-a) the following:

"Farmers insofar as injuries may be incurred by employees while engaged in agricultural pursuits or any operations immediately connected therewith, whether on or off the premises of the employer."

On motion of Brittain of Madison the House adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 13, 1924.

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

Prayer was offered by the Rev. H. C. Bode, pastor of the First Christian Reformed church, Wellsburg, Iowa.

Journal of March 12th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Healy of Hancock for the remainder of the week, on request of Ressler of Pocahontas; Himebauch of Emmet for the day, on request of Wamstad of Mitchell; Lake of Woodbury for the day, on request of Forsling of Woodbury.

## CONCURRENT RESOLUTION CONSIDERED

Concurrent Resolution No. 13, found in the Journal of March 12th, was taken up and considered.

On motion of Elliott of Scott the resolution was adopted.

## BUSINESS PENDING

The House resumed consideration of House File No. 42, a bill for an act to amend, revise, and codify chapter three (3) of title five (5) of the compiled code of Iowa, and sections eight hundred twenty-three-a one (823-a1), eight hundred thirty-two (832), and eight hundred forty-three (843) of the supplement to said code, relating to employers' liability and workmen's compensation.

Potts of Lee offered the following amendment and moved its adoption:

Amend section 22 of House File No. 42 by striking out the words "or legal representative" in lines four (4) and five (5) and inserting after the word "and" in line six (6) the following: "the employee or in case of death his legal representative."

Amendment adopted.

The committee amendments as found in the Journal of February 23d were taken up for further consideration.

Potts of Lee offered the following amendment to committee amendment No. 6:

Amend committee amendment No. 6 by inserting after the word "months" the words "or where a city or town or a city under special charter is such third party within thirty days."

On motion of Mr. Potts the amendment to the committee amendment was adopted.

Clark of Linn offered the following amendment to committee amendment No. 6 and moved its adoption:

Amend committee amendment No. 6 by striking therefrom the words and figure "six (6) months" and inserting in lieu thereof the words and figures "thirty (30) days".

#### SPECIAL ORDER NO. 1

Time having arrived for Special Order No. 1, House File No. 295, Hauge of Polk moved that action on the bill be deferred until Tuesday, March 18th, at 10:00 a. m.

Motion prevailed.

The House resumed consideration of House File No. 42.

Bradley of Poweshiek moved that House File No. 42 with all pending amendments be referred to the committee on judiciary.

Forsling of Woodbury moved that action on House File No. 42 be deferred until 11:00 a. m., March 18th, and that the committee on judiciary be instructed to bring before the House recommendations on pending amendments and offer such further amendments as may be deemed advisable by that committee.

Criswell of Boone moved that the House adjourn until 1:00 p. m. today.

Motion lost.

Criswell of Boone moved that action on the motion of Forsling of Woodbury be deferred until Friday, March 14th.

The motion was ruled out of order.

On the question "Shall the motion by Forsling of Woodbury prevail?" a roll call was demanded.

The ayes were:

Blake	Gilbert	Natvig	Sampson
Blume	Gilmore	O'Donnell	Saunders
Bradley	Graham	Oliver	Schirmer
Brittain	Grimwood	Olson	Schulte
Buffington	Hansen	Ontjes	Slemmons
Carter	Hattendorf	Orr	Smith of
Children	Held	Iarsons	Chickasaw
Clark	Henderson	Patterson	Smith of Lucas
Dewar	Hollis	Peterson	Stock
Diltz	Johnson	Potts	Strippel
Donhowe	King	Powers	Vincent
Doolittle	Knutson	Quirk	Wamstad
Dotts	Letts	Ramsey	Weber
Edge	Lichty	Rankin	Williams
Edson	Long	Rassler	Wilson
Elliott	Lovrien	Rewoldt	Yenter
Forsling	McClune	Rhinehart	Mr. Speaker—76
Gallagher	Mathews	Robson	
Garber of Adair	Matthiesen	Rumley	
Garber of Floyd	Moen	Rust	

The nays were:

Aiken	Frahm	Lieberknecht	Stookesberry
Anderson of	Gesman	Miller	I'lstad
Webster	Gibson	Napier	Venard
Berry	Harrison	Noble	Wolfe—23
Brady	Hempel	Scott of	
Crisswell	Huff	Appanoose	
Dooley	Leonard	Scott of Fremont	

Absent or not voting:

Colbert	Gilbertson	Himebauch
Cole	Hauge	Jake
Fackler	Healy	Storey—9

The motion by Forsling of Woodbury 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:

Senate File No. 290, a bill for an act to provide to pay the expenses of the Iowa Child Welfare Commission appointed by the Governor.

Also, that the Senate concurs in the House amendments to Senate File No. 33, a bill for an act relating to the release of sureties on bonds of public officers.

Also, that the Senate concurs in the House amendments to Senate File No. 85, a bill for an act relating to education—Instruction in patriotism.

Also, that the Senate concurs in the House amendments to Senate File No. 51, a bill for an act relating to intoxicating liquors.

Also, that the Senate insists on its amendments to House File No. 213, a bill for an act relating to marriages and incest, and requests a conference committee. The President has appointed as such committee on the part of the Senate, Senators Gilchrist, Reed, Hale, and Baird.

Also, 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 county attorneys.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 134

Amend the title by striking the words and figures "ninety-two hundred eighty-one (9281), ninety-two hundred ninety-two (9292), and ninety-two hundred ninety-three (9293),".

Amend by striking therefrom beginning with section 3, all following up to and including section 11. Also by striking therefrom the following: "That section ninety-two hundred eighty-one (9281) of the compiled code of Iowa is amended, revised, and codified to read as follows:" where such words appear immediately preceding section 3.

#### SENATE MESSAGE CONSIDERED

Senate File No. 290, a bill for an act to provide to pay the expenses of the Iowa Child Welfare Commission appointed by the Governor.

Read first and second times and referred to committee on appropriations.

#### SUBSTITUTE BILL ORDERED PRINTED

On request of Clark of Linn, unanimous consent having been obtained, 1000 copies of the substitute bill proposed by the code commission for House Files Nos. 210 and 211 were ordered printed.

#### AMENDMENTS FILED

Children of Pottawattamie filed the following amendments to House File No. 121 and to the committee amendments to said bill:

(1) Amend section ten (10) of House File No. 121 by adding thereto the following sentence: "The engineer shall clearly designate and credit on said plan and profile all existing permanent bridges, culverts and grades."

(2) Amend committee amendments to section one (1) by inserting between the words "expended" and "on" in line six (6) the word "only" and between the words "municipality" and "by" in line six (6) the words "which are continuations of such roads as are main arteries of travel leading to such municipality,".

On motion of Clark of Linn the House adjourned until 10:00 a. m. Friday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES.  
DES MOINES, IOWA, MARCH 14, 1924.

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

Prayer was offered by the Rev. E. A. Elliott, pastor of the Congregational church, Dawson, Iowa.

Journal of March 13th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Moen of Lyon for the remainder of the week, on request of Smith of Chickasaw; Robson of Greene for the remainder of the week, on request of Children of Pottawattamie; Quirk of Sac for the remainder of the week, on request of Held of Plymouth; Lake of Woodbury for the forenoon, on request of Edge of Jasper; Forsling of Woodbury for the day, on request of Brittain of Madison.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 46 and 256.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## INTRODUCTION OF BILL

Unanimous consent having been obtained to suspend the rule prohibiting the introduction of bills, the following bill was introduced:

House File No. 300, by Stock of Allamakee, a bill for an act to legalize certain acknowledgments and acts of notaries public.

Read first and second times and referred to committee on judiciary.

## HOUSE RESOLUTION

Vincent of Guthrie offered the following resolution:

*Whereas*, the work of the Fortieth extra session is drawing to a close and a number of bills are still in the hands of the standing committees; and

*Whereas*, there are not sufficient bills on the calendar to take up the time of the House; therefore,

*Be It Resolved*, that all bills in the hands of committees on Friday, March 21st, be placed on the calendar.

Laid over under rule 34.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Vincent of Guthrie, House File No. 134, a bill for an act to amend, revise, and codify sections thirty-one hundred eighty-nine (3189), thirty-one hundred ninety (3190), thirty-one hundred ninety-two (3192), thirty-one hundred ninety-three (3193), ninety-two hundred eighty-one (9281), ninety-two hundred ninety-two (9292), and ninety-two hundred ninety-three (9293), of the compiled code of Iowa, relating to county attorneys, with Senate amendments, found in the House Journal of March 13th, was taken up and the amendments read and considered.

Mr. Vincent moved that the House refuse to concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were:

Aiken	Dooley	Slemmons	Yenter—6
Colbert	Ontjes		

The nays were:

Anderson of	Edson	Henderson	Napier
Webster	Fackler	Himebauch	Natvig
Blume	Frahm	Hollis	Noble
Bradley	Gallagher	Huff	O'Donnell
Brittain	Garber of Adair	Johnson	Orr
Buffington	Gesman	King	Parsons
Carter	Gibson	Knutson	Patterson
Children	Gilbert	Letts	Peterson
Clark	Gilbertson	Lichty	Powers
Cole	Gilmore	Lieberknecht	Ramsey
Criswell	Graham	Long	Rankin
Dewar	Grimwood	Lovrien	Rewoldt
Donhowe	Hattendorf	McClune	Rumley
Doolittle	Hauge	Mathews	Rust
Dotts	Held	Matthiesen	Sampson
Edge	Hempel	Miller	Schirmer

Schulte	Smith of	Strippel	Weber
Scott of	Chickasaw	Ulstad	Williams
Appanoose	Stock	Venard	Wilson
Scott of Fremont	Stookesberry	Vincent	Wolfe
Smith of Lucas	Storey	Wamstad	Mr. Speaker—81

## Absent or not voting:

Berry	Garber of Floyd	Moen	Rassler
Blake	Hansen	Oliver	Rhinehart
Brady	Harrison	Olson	Robson
Diltz	Healy	Potts	Saunders—21
Elliott	Lake	Quirk	
Forsling	Leonard		

The House refused to concur in the Senate amendments to House File No. 134.

On request of Gilbert of Marshall, House File No. 220, a bill for an act to amend, revise, and codify sections six thousand eight hundred forty-one (6841) to six thousand eight hundred forty-three (6843), inclusive, six thousand eight hundred forty-five (6845) to six thousand eight hundred eighty-seven (6887), inclusive, six thousand eight hundred eighty-nine (6889), six thousand eight hundred ninety-one (6891) to six thousand eight hundred ninety-five (6895), inclusive, and six thousand nine hundred (6900) of the compiled code of Iowa, and sections six thousand eight hundred forty (6840), six thousand eight hundred forty-four (6844), six thousand eight hundred eighty-eight (6888), and six thousand eight hundred ninety (6890) of the supplement to said code, relating to municipal courts, with Senate amendments, found in the House Journal of March 10th, was taken up and the amendments read and considered.

Mr. Gilbert 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:

Anderson of	Dewar	Garber of Floyd	Hauge
Webster	Donhows	Gesman	Held
Blume	Dooley	Gibson	Hempel
Brittain	Dotts	Gilbert	Henderson
Buffington	Edge	Gilbertson	Himebauch
Children	Edson	Gilmore	Hollis
Clark	Fackler	Graham	Huff
Colbert	Frahm	Grimwood	Johnson
Cole	Gallagher	Harrison	King
Criswell	Garber of Adair	Hattendorf	Knutson

Letts	Oliver	Rust	Strippel
Lichty	Ontjes	Sampson	Ulstad
Lieberknecht	Orr	Schirmer	Venard
Long	Parsons	Schulte	Weber
Lovrien	Patterson	Scott of	Williams
McClune	Peterson	Appanoose	Wilson
Mathews	Potts	Scott of Fremont	Wolfe
Matthiesen	Powers	Slemmons	Yenter
Miller	Ramsey	Smith of Lucas	Mr. Speaker—83
Napier	Rankin	Stock	
Natvig	Rassler	Stookesberry	
O'Donnell	Rumley	Storey	

## Absent or not voting:

Aiken	Doolittle	Moen	Saunders
Berry	Elliott	Noble	Smith of
Blake	Forsling	Olson	Chickasaw
Bradley	Hansen	Quirk	Vincent
Brady	Healy	Rewoldt	Wamstad—25
Carter	Lake	Rhinehart	
Dilts	Leonard	Robson	

The House refused to concur in the Senate amendments to House File No. 220.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 46 and 256.

## APPOINTMENT OF CONFERENCE COMMITTEE

As a conference committee on House File No. 213, the Speaker appointed the following members on the part of the House; Powers of Page, Elliott of Scott, Clark of Linn and Moen of Lyon.

## SPECIAL ORDER MADE

On request of Storey of Warren, unanimous consent having been obtained, further consideration of the House amendments to Senate File No. 93 was made a special order for March 18th, at 9:30 a. m.

## CONSIDERATION OF BILLS

House File No. 77, a bill for an act to amend, revise, and codify sections sixty-three hundred fifty-five (6355) to sixty-three hundred ninety-seven (6397), inclusive, and sixty-four hundred (6400) to sixty-four hundred five (6405), inclusive, of the compiled code of Iowa, relating to conveyances, with report

of committee recommending amendment and passage, was taken up for consideration.

On motion of Vincent of Guthrie the amendments proposed by the committee, found in the Journal of March 11th, were adopted.

Mr. Vincent moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Floyd	Long	Schulte
Anderson of	Gesman	Lovrien	Scott of
Webster	Gibson	McClune	Appanoose
Berry	Gilbert	Mathews	Scott of Fremont
Blake	Gilbertson	Matthiesen	Slemmons
Blume	Gilmore	Miller	Smith of
Bradley	Graham	Napier	Chickasaw
Brittain	Grimwood	Natvig	Smith of Lucas
Buffington	Hansen	Noble	Stock
Carter	Harrison	O'Donnell	Stookesberry
Children	Hattendorf	Oliver	Storey
Clark	Hauge	Ontjes	Strippel
Colbert	Held	Orr	Ulstad
Cole	Hempel	Parsons	Venard
Criswell	Henderson	Patterson	Vincent
Dewar	Himebauch	Peterson	Wamstad
Donhowe	Hollis	Potts	Weber
Dooley	Huff	Powers	Williams
Dotts	Johnson	Ramsey	Wilson
Edge	King	Rassler	Yenter
Edson	Knutson	Rumley	Mr. Speaker—90
Frahm	Letts	Rust	
Gallagher	Lichty	Sampson	
Garber of Adair	Lieberknecht	Schirmer	

The nays were, none.

Absent or not voting:

Brady	Forsling	Olson	Rhinehart
Diltz	Healy	Quirk	Robson
Doolittle	Lake	Rankin	Saunders
Elllott	Leonard	Rewoldt	Wolfe—18
Fackler	Moen		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 87, a bill for an act to amend, revise, and codify chapter three (3) of title ten (10) of the compiled code of Iowa, and of the supplement to said code, relating to education,

with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Garber of Adair the amendments proposed by the committee, found in the Journal of January 5th, were adopted.

Mr. Garber moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lichty	Rust
Anderson of Webster	Garber of Adair	Lieberknecht	Sampson
Berry	Gesman	Lovrien	Schirmer
Blake	Gibson	McClune	Schulte
Blume	Gilbert	Mathews	Scott of Appanoose
Bradley	Gilbertson	Matthiesen	Scott of Fremont
Brittain	Gilmore	Miller	Slemmons
Buffington	Graham	Napier	Smith of Chickasaw
Carter	Grimwood	Natvig	Smith of Lucas
Children	Hansen	Noble	Stock
Clark	Harrison	O'Donnell	Stokesberry
Colbert	Hattendorf	Ontjes	Storey
Cole	Hauge	Parsons	Strippel
Criswell	Held	Patterson	Venard
Dewar	Hempel	Peterson	Vincent
Diltz	Henderson	Potts	Wamstad
Donhowe	Himebauch	Powers	Weber
Dooley	Hollis	Ramsey	Williams
Doolittle	Huff	Rankin	Wilson
Dotts	Johnson	Rassler	Yenter
Edson	King	Rewoldt	Mr. Speaker—89
Fackler	Knutson	Rhinehart	
	Letts	Rumley	

The nays were:

Frahm	Long	Oliver	Orr—4
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Absent or not voting:

Brady	Garber of Floyd	Moen	Saunders
Edge	Healy	Olson	U'lstad
Elliott	Lake	Quirk	Wolfe—15
Forsling	Leonard	Robson	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 299, a bill for an act to amend section three (3) of chapter three hundred twenty-six (326) of the acts of the Fortieth General Assembly, relating to the commission on land titles, was taken up for consideration.

Buffington of Mills moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gesman	Long	Sampson
Webster	Gibson	Lovrien	Schirmer
Blake	Gilbert	McClune	Schulte
Blume	Gilbertson	Matthiessen	Scott of
Bradley	Gilmore	Miller	Appanoose
Buffington	Grimwood	Napier	Scott of Fremont
Carter	Hansen	Natvig	Slemmons
Clark	Harrison	Noble	Smith of
Colbert	Hattendorf	O'Donnell	Chickasaw
Criswell	Hauge	Oliver	Smith of Lucas
Dewar	Held	Ontjes	Stookesberry
Diltz	Hempel	Orr	Storey
Donhowe	Henderson	Parsons	Strippel
Dooley	Himebauch	Patterson	Venard
Doolittle	Hollis	Peterson	Vincent
Dotts	Huff	Powers	Wamstad
Edge	Johnson	Rankin	Weber
Edson	King	Rassler	Williams
Fackler	Knutson	Rewoldt	Wilson
Frahm	Letts	Rhinehart	Mr. Speaker—83
Gallagher	Lichty	Rumley	
Garber of Adair	Lieberknecht	Rust	

The nays were, none.

Absent or not voting:

Aiken	Forsling	Moen	Stock
Berry	Garber of Floyd	Olson	Ulstad
Brady	Graham	Potts	Wolfe
Brittain	Healy	Quirk	Yenter—25
Children	Lake	Ramsey	
Cole	Leonard	Robson	
Elliott	Mathews	Saunders	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

**MR. SPEAKER:** Your committee on enrolled bills respectfully reports that it has, on this 14th day of March, 1924, sent to the Governor for his approval: House Files Nos. 46 and 256.

C. F. LETTS, *Chairman.*

Report adopted.

## CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 126

Frahm of Carroll, from the conference committee on House File No. 126, submitted the following report:

MR. SPEAKER: Your conference committee, to which was referred House File No. 126 after disagreement thereon by the Senate and the House, begs leave to report that it has had the bill under consideration and submits the following report:

1. That the following be substituted for the Senate amendment to Section 2:

"Poles used for telephone, telegraph, or other transmission purposes, shall not be removed until notice, in writing, of not less than thirty (30) days, has been given to the owner or company operating such lines, and in case of fences, notice in writing of not less than sixty (60) days has been given to the owner, occupant or agent of the land enclosed by said fence."

2. That sections 4 and 5 of the bill be amended to read as follows:

Sec. 4. All such fences and poles shall, within the time named, be removed to such line on the highway as the county engineer may designate. If there be no county engineer, the board of supervisors shall designate said line. If not so removed the public authorities may forthwith remove them.

Sec. 5. New lines, or parts of lines hereafter constructed, shall be located by the county engineer upon written application filed with the county auditor and shall thereafter be removable according to the provisions of this chapter. If there be no county engineer, the board of supervisors shall designate said location.

Respectfully submitted,

HENRY FRAHM,  
J. P. GALLAGHER,  
S. E. FACKLER,  
JNO. A. STOREY,

*Conferees on part of the House.*

ED. M. SMITH,  
H. C. WHITE,  
D. W. KIMBERLY,  
H. C. ADAMS,

*Conferees on part of the Senate.*

Passed on file.

## PROOF OF PUBLICATION OF SENATE FILE NO. 299

The official proof of publication of Senate File No. 299, a bill for an act legalizing the transfer of certain funds by the county treasurer of Appanoose county, Iowa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## PROOF OF PUBLICATION OF HOUSE FILE NO. 298

The official proof of publication of House File No. 298, a bill for an act to legalize an expenditure of eleven hundred dollars (\$1100.00) and the issuance of warrant or warrants to fund said expenditure, for the town of Clayton, Iowa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## AMENDMENT FILED

Carter of Hardin filed the following amendment to House File No. 121:

Amend House File No. 121 by adding immediately after section 1 of the bill the following:

"Sec. 1-a1. Permissive use of bridge fund.

When a county has permanently bridged its primary and county road system and has a surplus in its county bridge and culvert fund after providing for the necessary repairs of bridges in said county, the board of supervisors may use such surplus in the payment of highway improvements other than bridges and culverts."

On motion of Doolittle of Delaware the House adjourned until 4:00 p. m. today.

## AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

## REPORTS OF COMMITTEES

Doolittle of Delaware, from the committee on private corporations, submitted the following report:

MR. SPEAKER: Your committee on private corporations to whom was referred Senate File No. 201, a bill for an act to amend, revise, and codify sections fifty-three hundred forty-five (5345), fifty-four hundred forty-four (5444), fifty-four hundred forty-eight (5448), and fifty-four hundred fifty-three (5453) of the compiled code of Iowa, and sections fifty-three hundred thirty-one (5331) and fifty-three hundred sixty-seven (5367) of the supplement to the compiled code, relating to corporations for profit and not for 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, and when so amended the bill do pass:

(1) Amend by striking out the word "and" after the word "substance" in line 12 of section 3, and insert in lieu thereof the word "or".

(2) Also amend the bill by adding as section 7 the following:

"Sec. 7. Publication clause. This act being deemed of immediate importance shall be in full force and effect after publication in the Des Moines Capital and the Iowa Forum, newspapers published in the city of Des Moines, Iowa."

CLYDE H. DOOLITTLE, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on private corporations to whom was referred Senate File No. 203, a bill for an act to amend, revise, and codify sections five thousand three hundred ninety-eight (5398) and five thousand four hundred one (5401) of the compiled code of Iowa, relating to cooperative 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 be amended as follows, and when so amended the bill do pass:

Amend by adding to the bill the following:

"That section five thousand four hundred eight-a one (5408-a1) of the supplement to the compiled code is amended, revised and codified to read as follows:

Sec. 5. Organization. Any number of persons, not less than five, may associate themselves as a cooperative association, without capital stock, for the purpose of conducting any agricultural, live stock, horticultural, dairy, mercantile, mining, manufacturing or mechanical business, or the constructing and operating of high tension electric transmission lines on the cooperative plan and of acting as a cooperative selling agency for its members.

Sec. 6. Publication clause. This act being deemed of immediate importance shall be in full force and effect after publication in the Des Moines Capital and the Iowa Forum, newspapers published in the city of Des Moines, Iowa."

CLYDE H. DOOLITTLE, *Chairman.*

Report 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. 283, a bill for an act relating to the sale and transportation of intoxicating liquors under permits.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 301, a bill for an act to legalize the action of the board of directors of the Independent School District of Toledo, Tama County, Iowa, and the treasurer thereof in the transfer of certain funds from the general fund to the school house fund of said school district.

Also, 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 relating to municipal corporations—bonds.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 72, a bill for an act relating to the testimony of witnesses in cases of contested elections.

Also, that the Senate has adopted and concurred in House Concurrent Resolution No. 13, a resolution relating to ventilating the Senate and House chambers.

Also, that the Senate insists on its amendments to House File No. 54, a bill for an act relating to propagation and protection of fish, game, wild birds, and animals, and requests a conference committee. The President has appointed as such conference committee on the part of the Senate, Senators Mead, Price, Newberry and Adams.

Also, that the Senate has adopted the conference committee report and concurred in the amendments proposed therein to House File No. 144, a bill for an act relating to relief for soldiers, sailors, and marines.

Also, that the Senate has appointed as conference committee on the part of the Senate, on Senate File No. 247, a bill for an act relating to carrying dangerous weapons and permits therefor, Senators Perkins, Dutcher, Ethell and Bowman.

Also, that the Senate insists on its amendments to the House amendments to Senate File No. 123, a bill for an act relating to the township road system, the repair and improvement of the same, and the duties of the officers having jurisdiction thereover, and requests a conference committee, and the President has appointed as such conference committee on the part of the Senate, Senators Hale, Slosson, Drowne and Snook.

Also, that the Senate refuses to concur in the House amendments to Senate File No. 9, a bill for an act relating to appropriations and the drawing and expenditure thereof, and to certain powers and duties of the treasurer of state, and to the security of the public funds.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 110, a bill for an act relating to education.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 110

Amend section 1 by striking from line 7 the words and figures "ninety dollars (\$90.00)" and inserting in lieu thereof the words and figures "one hundred dollars (\$100.00)".

Also amend section 1 by inserting as subsection 2 the following:

"2. In school corporations having a population of fifty thousand (50,000) or more, ninety dollars (\$90.00)."

Also amend section 1 by striking from line 10 (subsection 3) the words and figures "seventy dollars (\$70.00)" and inserting in lieu thereof the words and figures "eighty dollars (\$80.00)".

## SENATE MESSAGES CONSIDERED

Senate File No. 301, a bill for an act to legalize the action of the board of directors of the independent school district of Toledo, Tama county, Iowa, and the treasurer thereof in the transfer of certain funds from the general fund to the school house fund of said school district.

Read first and second times and referred to committee on judiciary.

Senate File No. 179, a bill for an act to amend, revise, and codify sections three thousand six hundred thirty-three (3633), three thousand six hundred thirty-four (3634), three thousand nine hundred eight (3908), three thousand nine hundred fifty-one (3951), four thousand sixty-two (4062), four thousand sixty-three (4063), four thousand sixty-five (4065) to four thousand sixty-eight (4068), inclusive, of the compiled code of Iowa, and sections four thousand sixty-one (4061), four thousand sixty-five-a one (4065-a1) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

Senate File No. 283, a bill for an act to amend, revise, and codify sections nine hundred twenty (920) to nine hundred fifty-one (951), inclusive, and nine hundred eighty (980) of the compiled code of Iowa, relating to the sale and transportation of intoxicating liquors under permits.

Read first and second times and referred to committee on suppression of intemperance.

## APPOINTMENT OF CONFERENCE COMMITTEE

As a conference committee on House File No. 54, the Speaker appointed the following members on the part of the House: Johnson of Dickinson, Quirk of Sac, Blume of Crawford and Knutson of Cerro Gordo.

On motion of Harrison of Pottawattamie the House adjourned until 10:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 15, 1924.

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

Prayer was offered by Mrs. Ida B. Wise Smith of the Christian church, Des Moines.

Journal of March 14th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Ramsey of Butler for the day, on request of Vincent of Guthrie; Lake of Woodbury indefinitely, on request of Rankin of Lee; Garber of Adair for the day, on request of Vincent of Guthrie; Yenter of Johnson for the day, on request of Schulte of Worth; Miller of Shelby for the day, on request of Huff of Cass; Lieberknecht of Louisa for the day, on request of Wilson of Tama; Dotts of Wayne for the day, on request of Edson of Buena Vista; McClune of Mahaska for the day, on request of Venard of Sioux; Cole of Harrison for the day, on request of Smith of Chickasaw; Forsling of Woodbury for the day, on request of Brittain of Madison.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 71 and 294.

Senate Files Nos. 33, 51, 85, 117 and 275.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## REPORTS OF COMMITTEES

Graham of Wapello, from the committee on elections, submitted the following report:

MR. SPEAKER: Your committee on elections to whom was referred Senate File No. 27, a bill for an act to amend, revise, and codify chapter nine (9) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the right of a voter to vote when disabled or when absent from the polls on election day, or when engaged in the service of the government of the United States, or of 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, and when so amended the bill do pass:

(1) Amend by striking from lines one (1) and two (2) of section 1 the following: "not engaged in the service of the government of the United States, or of this state,".

(2) Amend section 1 by adding immediately after the word "election" in line 4 the following: ", or at any election held in any independent town, city, or consolidated school district".

(3) Amend by inserting immediately after section 2 the following: "Sec. 2-a1. Secretary of school board.

In the application of this chapter to elections held in independent city, town, and consolidated school districts, the secretary of the school board shall perform the duty herein imposed on the county auditor or clerk of the city or town."

(4) Amend by striking from section 20 the following: "except ballots forwarded to voters in the military or naval service,".

(5) Amend by striking section 35 and all subsequent sections.

(6) Amend by renumbering the sections following section 6.

S. L. GRAHAM, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on elections to whom was referred Senate File No. 21, a bill for an act to amend, revise, and codify chapter two (2) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to nominations by primary elections and conventions, also to amend section three (3) of House File two hundred fifty-eight (258), passed at the extra session of the Fortieth General Assembly, entitled "an act relating to the nomination and election of officers, employees, and assistants in cities acting under the commission form of government, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

(1) Amend by striking out the word "the" in section 3, line 1 of subsection 1, and inserting in lieu thereof the word "a" and by striking out subsection 2 of this section.

(2) Amend by striking from line 7 of subsection 2 of section 11 the words "at least", and substituting in lieu thereof the following: "not more than sixty (60) days nor less than".

(3) Amend by striking the period after the word "conventions" in line three of the title and striking out the remainder of the title.

(4) Amend by striking out all of section 115-a1.

S. L. GRAHAM, *Chairman.*

Report adopted.

Elliott of Scott, from the committee on public health, submitted the following report:

MR. SPEAKER: Your committee on public health to whom was referred House File No. 262, a bill for an act to amend, revise and codify sections thirteen hundred twenty-seven (1327) to thirteen hundred twenty-nine (1329), inclusive, thirteen hundred thirty-two (1332) to thirteen hundred thirty-four (1334), inclusive, thirteen hundred thirty-nine (1339) to thirteen hundred forty-four (1344), inclusive, fourteen hundred twelve (1412), fourteen hundred sixteen (1416) to fourteen hundred nineteen (1419), inclusive, fourteen hundred twenty-one (1421) to fourteen hundred twenty-three (1423), inclusive, fourteen hundred twenty-five (1425), and fourteen hundred twenty-six (1426) of the compiled code of Iowa, and chapters six (6), twelve (12), and thirteen (13) of title six (6) of the compiled code of Iowa, and the supplement to said code, and chapters six-A (6-A), seven (7), and seven-A (7-A) of title six (6), and sections thirteen hundred thirty (1330), thirteen hundred thirty-one (1331), thirteen hundred forty-five (1345), fourteen hundred thirteen (1413) to fourteen hundred fifteen (1415), inclusive, and fourteen hundred twenty (1420) of the supplement to the compiled code of Iowa, relating to the practice of certain professions affecting 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 be amended as follows, and when so amended the bill do pass:

(1) Section 5, line 3, after the period (.) insert the following: "Such license shall be issued in the name of the examining board, which conducts examinations for that particular profession."

Section 5, line 5, following the period (.) strike out the remainder of the section.

(2) Section 10, immediately after the section insert the following: Sec. 10-a1. Reinstatement of licensee.

Any licensee who allows his license to lapse by failing to renew the same, as provided in the preceding section, may be reinstated without examination upon recommendation of the examining board for his profession and upon payment of the renewal fees then due."

(3) Section 16, line 2, after the word "medicine" insert a period (.) and strike out the remainder of the section.

(4) Section 17, line 3, after the word "no" insert the words "embalmer or".

Section 17, line 5, strike out the word "optical".

Section 17, line 5, strike out the period (.) and insert the following: "dealing in optical or embalming supplies."

(5) Section 19, line 6, strike out the word "shall" and insert in lieu the word "may".

(6) Section 32, line 9, strike out the word "one" and insert in lieu the word "two".

(7) Section 36, lines 2, 3 and 4, strike out the following: ", but in the case of the medical examiners each school of medicine represented on said board shall be represented in said number".

(8) Section 54, lines 2 and 3, strike out the following: "in the practice of medicine and surgery, podiatry, 'osteopathy', 'osteopathy and surgery', chiropractic, and optometry,".

(9) Section 72, line 1, immediately preceding the word "or" insert the following: "itinerant chiropractor,".

Section 72, line 4, immediately preceding the word "or" insert the following: "chiropractic,".

(10) Section 73, line 1, immediately preceding the word "or" insert the following: "itinerant chiropractor,".

(11) Section 74, line 2, immediately preceding the word "or" insert the following: "licensed chiropractor,".

Section 74, line 7, immediately preceding the word "or" insert the following: "itinerant chiropractor,".

(12) Section 75, line 3, immediately preceding the word "or" insert the following: "chiropractor,".

(13) Section 79, subsection 1, line 5, strike out the words and figures "thirty-five dollars (\$35.00)" and insert in lieu the following: "twenty-five dollars (\$25.00)".

Section 79, lines 9, 10 and 11, strike out all of subsection 3.

Section 79, subsection 4, line 14, strike out the words and figures "twenty-five dollars (\$25.00)" and insert in lieu the following: "twenty dollars (\$20.00)".

Section 79, lines 18, 19 and 20, strike out all of subsection six (6).

Section 79, subsection 9, line 28, strike out the words "second preceding paragraph" and insert in lieu the following: "preceding paragraphs".

Section 79, subsection 10, insert before the word "or" in line 30, the words "itinerant chiropractor,".

Section 79, renumber subsections 4, 5, 7, 8, 9, 10, 11 and 12 as 3, 4, 5, 6, 7, 8, 9, and 10 respectively.

(14) Section 86, line 4, strike out the words and figures "sixty (60) days" and insert in lieu the following: "six (6) months".

(15) Section 92, immediately after the section insert the following:

"Sec. 92-a1. Licensing of pharmacists.

The provisions of this chapter relative to the making of application for a license, the issuance of a license, the negotiation of reciprocal agreements for recognition of foreign licenses, the collection of license and renewal fees, and the preservation of records shall not apply to the licensing of persons to practice pharmacy, but such licensing shall be governed by the following regulations:

1. Every application for a license to practice pharmacy shall be made direct to the secretary of the pharmacy examiners.

2. Such license and all renewals thereof shall be issued by said examiners.

3. Every reciprocal agreement for the recognition of any such license issued in another state shall be negotiated by said examiners.

4. All license and renewal fees exacted from persons licensed to practice pharmacy shall be paid to and collected by the secretary of the Pharmacy Examiners.

5. All records in connection with the licensing of pharmacists shall be kept by said secretary.

Sec. 92-a2. Enforcement of title as to pharmacy.

The provisions of this title in so far as they affect the practice of pharmacy shall be enforced by the Pharmacy Examiners and the provisions of sections eighty-seven (87) and eighty-eight (88) shall not apply to said profession.

Sec. 92-a3. Regulations governing pharmacy examiners.

In discharging the duties and exercising the powers provided for in the two preceding sections the Pharmacy Examiners and their secretary shall be governed by all the provisions of this chapter which govern the department of health when discharging a similar duty or exercising a similar power with reference to any of the professions regulated by this title.

Sec. 92-a4. Secretary of pharmacy examiners.

The Pharmacy Examiners shall have the right to employ a full time secretary, who shall not be a member of the examining board, at such compensation as may be fixed from time to time in the biennial salary act and the provisions of section twenty-one (21) providing for a secretary for each examining board shall not apply to the Pharmacy Examiners.

Sec. 92-a5. Duties of secretary of pharmacy examiners.

The secretary of the Pharmacy Examiners shall, upon the direction of said examiners, make inspections of alleged violations of the provisions of this title relative to the practice of pharmacy and of chapters nine (9) and ten (10) of House File two hundred sixty-one-A (261-A), special session, Fortieth General Assembly. Said secretary shall be allowed his necessary traveling and hotel expenses in making such inspections, which shall be paid out of the appropriation provided for in section twenty-four (24)."

(16) Section 96, lines 4, 5 and 6, strike out the words "upon which there is a representative of the war, navy, and treasury departments of the United States and of the federation of state medical examining boards," and insert in lieu the words "of the United States of America,".

(17) Section 118, lines 4 and 5, strike out all of subsection 2.

Section 118, line 6, renumber subsection 3 as subsection 2.

(18) Section 119, line 6, strike out the word "continuous".

(19) Strike out all of section 122-a1.

(20) Section 134, subsection 1, strike out the word "immediate" from line 4.

Section 134, strike out all of subsection 2 and insert the following:

"2. Persons who sell, offer or expose for sale, completely denatured alcohol or concentrated lye, insecticides or fungicides in original packages."

Section 134, subsection 4, line 11, strike out the words "do not contain intoxicating liquor or poison." and insert in lieu the following: "are not in themselves poisonous or in violation of the law relative to intoxicating liquors."

(21) Section 136, subsection 1, lines 10 and 11, strike out all of paragraph "c".

(22) Section 137, line 4, strike out the word "immediate".

(23) Strike out all of section 138.

(24) Section 140, subsection 1, line 2, strike out the word "either".

(25) Section 141, line 2, strike out the word "January" and insert in lieu the word "July".

Section 141, lines 5 and 6, strike out the words and figures "on July first, nineteen hundred twenty-four (1924)" and insert in lieu the following: "at the time this title takes effect".

(26) Section 142, lines 1 and 2, strike out the words and figures "on or before July first, nineteen hundred twenty-four (1924)" and insert in lieu the following: "immediately upon the taking effect of this title".

(27) Section 144, line 2, strike out the word "January" and insert in lieu the word "August".

Section 144, line 5, strike out the word "and".

Section 144, line 5, immediately preceding the word "respectively" insert the following: "and nineteen hundred twenty-nine (1929)".

Section 144, line 6, strike out the words and figures "on July first, nineteen hundred twenty-four (1924)" and insert in lieu the following: "immediately upon the taking effect of this title".

Section 144, line 10, strike out the word "and".

Section 144, line 11, immediately preceding the word "respectively" insert the following: "and nineteen hundred twenty-nine (1929)".

(28) Strike out all of section 145.

(29) Section 146, lines 5 and 6, strike out the words and figures "on July first, nineteen hundred twenty-four (1924)" and insert in lieu the following: "immediately upon the taking effect of this title".

(30) Section 147, lines 5 and 6, strike out the words and figures "on July first, nineteen hundred twenty-four (1924)" and insert in lieu the following: "immediately upon the taking effect of this title".

(31) Section 148, lines 5 and 6, strike out the words and figures "on

July first, nineteen hundred twenty-four (1924)" and insert in lieu the following: "Immediately upon the taking effect of this title".

Section 148, immediately after the section insert the following:

Sec. 148-a1. Secretary of pharmacy commission.

The secretary of the state pharmacy commission in office at the time this title takes effect shall become the secretary of the board of pharmacy examiners, provided for in chapter one (1) of this title, and shall serve in such capacity until July first, nineteen hundred twenty-five (1925) when he shall be superseded by such person as may be appointed by the pharmacy examiners under the provisions of section ninety-two-a five (92-a5)."

(32) Section 150, line 1, strike out the words and figures "On July first, nineteen hundred twenty-four (1924)" and insert in lieu the following: "Immediately upon the taking effect of this title".

Section 150, line 7, strike out the following: "commission of pharmacy,".

(33) Section 151, line 1, strike out the words and figures "After July first, nineteen hundred twenty-four (1924)" and insert in lieu the following: "From and after the taking effect of this title".

(34) Section 152, line 7, strike out all after the period.

(35) Section 154, line 11, strike out the word "board" and insert in lieu the word "authority".

(36) Section 155, lines 1 and 2, strike out the words and figures "This title shall take effect July first, nineteen hundred twenty-four (1924), and" and insert in lieu the following: "Immediately upon the taking effect of this title,".

Section 155, line 8, strike out the words "on that date" and insert in lieu the words "at such time."

Section 155, line 10, strike out the words and figure "chapter one (1) of".

FRANK W. ELLIOTT, *Chairman*.

Report adopted.

#### REPORT OF CONFERENCE COMMITTEE CONSIDERED

The report of the conference committee on House File No. 126, found in the House Journal of March 14th, was taken up and considered.

Edson of Buena Vista moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee on House File No. 126 and the amendments proposed by said conference committee be adopted?"

## The ayes were:

Alken	Gallagher	Letts	Sampson
Anderson of Webster	Garber of Floyd Gesman	Lichty Long	Saunders Schirmer
Berry	Gibson	Lovrien	Schulte
Blake	Gilbert	Mathews	Scott of Appanoose
Blume	Gilbertson	Matthiesen	Scott of Fremont
Bradley	Grimwood	Napier	Stemmons
Brittain	Harrison	Natvig	Smith of Lucas
Buffington	Hattendorf	Noble	Stock
Carter	Hauge	O'Donnell	Stookesberry
Clark	Held	Oliver	Strippel
Colbert	Hempel	Ontjes	Ulstad
Criswell	Henderson	Orr	Venard
Dewar	Himebauch	Parsons	Vincent
Donhowe	Hollis	Patterson	Wamstad
Dooley	Huff	Peterson	Weber
Doolittle	Johnson	Powers	Wilson
Edson	King	Rankin	Wolfe
Elliott	Knutson	Rewoldt	Mr. Speaker—78
Fackler	Leonard	Rust	

## The nays were:

Smith of  
Chickasaw—1

## Absent or not voting:

Brady	Garber of Adair	McClune	Rassler
Children	Gilmore	Miller	Rhinehart
Cole	Graham	Moen	Robson
Diltz	Hansen	Olson	Rumley
Dotts	Healy	Potts	Storey
Edge	Lake	Quirk	Williams
Forsling	Lieberknecht	Ramsey	Yenter—29
Frahm			

The report of the conference committee on House File No. 126 and the amendments proposed by said conference committee were adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 71 and 294.

## RESOLUTION CONSIDERED

The following resolution, offered by Vincent of Guthrie on March 14th, was taken up and considered:

Whereas, the work of the Fortieth extra session is drawing to a close and a number of bills are still in the hands of the standing committees; and

Whereas, there are not sufficient bills on the calendar to take up the time of the House; therefore,

*Be It Resolved*, that all bills in the hands of committees on Friday, March 21st, be placed on the calendar.

Clark of Linn offered the following amendment to the resolution and moved its adoption:

Amend the resolution by adding thereto the following: "excepting only Senate bills referred to the House committees after March 17th."

Amendment rejected.

Brittain of Madison offered the following amendment and moved its adoption:

Amend the resolution by striking therefrom the words and figures "Friday, March 21st" and inserting in lieu thereof the words and figures "Tuesday, March 25th".

Amendment rejected.

On motion of Vincent of Guthrie the resolution was adopted.

#### INTRODUCTION OF BILLS

Unanimous consent having been obtained to suspend the rule prohibiting the introduction of bills at this time, the following bills were introduced:

House File No. 301, by committee on public health, a bill for an act to amend chapter seven (7), section twelve (12), acts of the thirty-ninth general assembly, relating to the practice of chiropractic.

Read first and second times and passed on file.

House File No. 302, by Gilbert of Marshall, a bill for an act to legalize the corporate acts and proceedings of St. Anthony Savings Bank of St. Anthony, Iowa, and to authorize the renewal of the period of corporate existence of said bank.

Read first and second times and referred to committee on judiciary.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports

that it has, on this fifteenth day of March, 1924, sent to the Governor for his approval:

House Files Nos. 71 and 294.

C. F. LETTS, *Chairman.*

Report adopted.

HOUSE AMENDMENT TO SENATE FILE NO. 9 CONSIDERED

Sampson of Audubon moved that the House recede from its amendment to Senate File No. 9.

On the question "Shall the House recede from its amendment to Senate File No. 9?"

The ayes were:

Bradley	Gallagher	Lichty	Sampson
Brittain	Gibson	Long	Smith of Lucas
Clark	Grimwood	Lovrien	Vincent
Colbert	Hempel	Napier	Weber
Dewar	Hollis	Natvig	Williams—26
Doolittle	King	Rhinehart	
Elliott	Letts	Rumley	

The nays were:

Aiken	Gesman	Matthiesen	Scott of
Anderson of	Gilbert	Noble	Appanoose
Webster	Gilbertson	O'Donnell	Scott of Fremont
Berry	Gilmore	Oliver	Slemmons
Blume	Hansen	Ontjes	Smith of
Buffington	Harrison	Orr	Chickasaw
Carter	Hattendorf	Parsons	Stock
Children	Held	Patterson	Stookesberry
Criswell	Henderson	Peterson	Strippel
Diltz	Himebauch	Powers	Ulstad
Donhowe	Huff	Rewoldt	Venard
Dooley	Johnson	Rust	Wamstad
Edson	Knutson	Saunders	Wilson
Fackler	Leonard	Schirmer	Mr. Speaker—56
Garber of Floyd	Mathews	Schulte	

Absent or not voting:

Blake	Garber of Adair	Miller	Rassler
Brady	Graham	Moen	Robson
Cole	Hauge	Olson	Storey
Dotts	Healy	Potts	Wolfe
Edge	Lake	Quirk	Yenter—26
Forsling	Lieberknecht	Ramsey	
Frahm	McClune	Rankin	

The House refused to recede from the amendments to Senate File No. 9.

Sampson of Audubon moved that the House insist upon its amendment to Senate File No. 9.

Motion prevailed.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on March 14th, approved the following bills: House Files Nos. 256 and 46.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 33, 51, 85, 117 and 275.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Carter of Hardin, House File No. 110, a bill for an act to amend, revise, and codify sections two thousand six hundred fifty-three (2653), and two thousand six hundred fifty-eight (2658) of the compiled code of Iowa, and sections two thousand six hundred fifty (2650) and two thousand six hundred sixty (2660) of the supplement to said code, relating to education, with Senate amendments, found in the House Journal of March 14th, was taken up and the amendments read and considered.

A division of the amendments was asked for.

Mr. Carter moved that the House concur in the following Senate amendment to section 1, line 7:

Amend section 1 by striking from line 7 the words and figures "ninety dollars (\$90.00)" and inserting in lieu thereof the words and figures "one hundred dollars (\$100.00)".

On the question "Shall the House concur?"

The ayes were:

Bradley	Hansen	Napier	Smith of
Buffington	Held	Natvig	Chickasaw
Carter	Himebauch	O'Donnell	Stock
Criswell	Hollis	Rankin	Strippel
Diltz	King	Rhinehart	Weber
Edson	Knutson	Rust	Williams
Elliott	Leonard	Sampson	Wilson—36
Gallagher	Lichty	Saunders	
Gilbert	Lovrien	Schirmer	
Grimwood	Matthiesen	Scott of Fremont	

The nays were:

Aiken	Blake	Clark	Dooley
Anderson of	Blume	Colbert	Doollittle
Webster	Brittain	Dewar	Fackler
Berry	Children	Donhowe	Garber of Floyd

Gesman	Huff	Orr	Slemmons
Gibson	Johnson	Parsons	Smith of Lucas
Gilbertson	Letts	Patterson	Stookesberry
Gilmore	Long	Peterson	Venard
Hattendorf	Mathews	Powers	Vincent
Hauge	Noble	Rewoldt	Wamstad
Hempel	Oliver	Rumley	Mr. Speaker—46
Henderson	Ontjes	Schulte	

## Absent or not voting:

Brady	Graham	Moen	Scott of
Cole	Harrison	Olson	Appanoose
Dotts	Healy	Potts	Storey
Edge	Lake	Quirk	Ulstad
Forsling	Lieberknecht	Ramsey	Wolfe
Frahm	McClune	Rassler	Yenter—26
Garber of Adair	Miller	Robson	

The House refused to concur in the Senate amendment to section 1, line 7.

Mr. Carter moved that the House concur in the following Senate amendment to section 1, subsection 2:

Also amend section 1 by inserting as subsection 2 the following:

"2. In school corporations having a population of fifty thousand (50,000) or more, ninety dollars (\$90.00)."

On the question "Shall the House concur?"

## The ayes were:

Bradley	Gilbert	Knutson	Rankin
Buffington	Hattendorf	Leonard	Sampson
Criswell	Hollis	O'Donnell	Williams—13
Elliott			

## The nays were:

Aiken	Gallagher	Lovrien	Schirmer
Anderson of	Garber of Floyd	Mathews	Schulte
Webster	Gesman	Matthiesen	Scott of Fremont
Berry	Gibson	Napier	Slemmons
Blake	Gilbertson	Noble	Smith of
Blume	Gilmore	Oliver	Chickasaw
Brittain	Grimwood	Ontjes	Smith of Lucas
Carter	Hauge	Orr	Stock
Children	Held	Parsons	Stookesberry
Clark	Hempel	Patterson	Strippel
Colbert	Henderson	Peterson	Venard
Dewar	Himebauch	Potts	Vincent
Donhowe	Huff	Powers	Weber
Dooley	Johnson	Rewoldt	Wilson
Doolittle	King	Rumley	Mr. Speaker—64
Edson	Letts	Rust	
Fackler	Long	Saunders	

## Absent or not voting:

Brady	Graham	Miller	Robson
Cole	Hansen	Moen	Scott of
Dilts	Harrison	Natvig	Appanoose
Dotts	Healy	Olson	Storey
Edge	Lake	Quirk	Ulstad
Forsling	Lichty	Ramsey	Wamstad
Frahm	Lieberknecht	Rassler	Wolfe
Garber of Adair	McClune	Rhinehart	Yenter—31

The House refused to concur in the Senate amendment to section 1, subsection 2.

Mr. Carter moved that the House concur in the following Senate amendment to section 1, line 10, subsection 3:

Also amend section 1 by striking from line 10 (subsection 3) the words and figures "seventy dollars (\$70.00)" and inserting in lieu thereof the words and figures "eighty dollars (\$80.00)".

On the question "Shall the House concur?"

The ayes were:

Bradley	Grimwood	Matthiesen	Scott of Fremont
Colbert	Hansen	Napier	Stemmons
Criswell	Hattendorf	Noble	Smith of
Dooley	Held	O'Donnell	Chickasaw
Doolittle	Hempel	Patterson	Stock
Elliott	Himebauch	Potts	Stokesberry
Gallagher	Knutson	Rankin	Strippel
Garber of Floyd	Leonard	Rhinehart	Wamstad
Gibson	Lichty	Rumley	Weber
Gilbert	Lovrien	Rust	Williams
Gilmore	Mathews	Sampson	Wilson—43

The nays were:

Aiken	Clark	Johnson	Powers
Anderson of	Dewar	King	Rewoldt
Webster	Donhowe	Letts	Saunders
Berry	Edson	Long	Schirmer
Blake	Fackler	Natvig	Schulte
Blume	Gesman	Oliver	Smith of Lucas
Brittain	Gilbertson	Ontjes	Venard
Buffington	Hauge	Orr	Vincent
Carter	Henderson	Parsons	Mr. Speaker—38
Children	Hollis	Peterson	

Absent or not voting:

Brady	Garber of Adair	McClune	Robson
Cole	Graham	Miller	Scott of
Dilts	Harrison	Moen	Appanoose
Dotts	Healy	Olson	Storey
Edge	Huff	Quirk	Ulstad
Forsling	Lake	Ramsey	Wolfe
Frahm	Lieberknecht	Rassler	Yenter—27

The motion having failed to receive a constitutional majority, the House refused to concur in the Senate amendment to section 1, line 10, subsection 3.

#### APPOINTMENT OF CONFERENCE COMMITTEE

As a conference committee on Senate File No. 123, the Speaker appointed the following members on the part of the House: Henderson of Hamilton, Healy of Hancock, Hauge of Polk and King of Clay.

#### AMENDMENTS FILED

Scott of Appanoose filed the following amendment to Senate File No. 21:

Amend Senate File No. 21 by striking out section 54 and inserting in lieu thereof the following:

"Sec. 54. Who nominated for county office.

The candidate or candidates of each political party for each office to be filled by the voters of the county having received the highest number of votes shall be duly and legally nominated as the candidate of his party for such office, provided such number of votes is not less than the following:

1. In case there are three (3) candidates for any office, not less than thirty-five per cent (35%) of all the votes cast by the party for such office.
2. In case there are four (4) candidates for any office, not less than thirty per cent (30%) of all the votes cast by the party for such office.
3. In case there are five (5) candidates for any office, not less than twenty-five per cent (25%) of all the votes cast by the party for such office.
4. In case there are six (6) or more candidates for any office, not less than twenty per cent (20%) of all the votes cast by the party for such office.

Sec. 54-a1. Minimum percentage required in certain cases.

No candidate whose name is not printed on the official ballot who receives less than ten per cent (10%) of the whole number of votes cast in the county for governor on the party ticket with which he affiliates, at the last general election, shall be declared to have been nominated to any office under the preceding section."

On motion of Rankin of Lee the House adjourned until 9:00 a. m. Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA. MARCH 17, 1924.

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

Prayer was offered by the Rev. T. C. Thompson, pastor of the Zion Lutheran church, Des Moines.

Journal of March 15th corrected and approved.

## APPOINTMENT OF COMMITTEE CLERK

The chief clerk announced the appointment of Fale Lowe as committee clerk to take the place of Kathryn Joyce, resigned, said appointment to be effective as of March 17th.

Mrs. Lowe took and subscribed to the required oath.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Bradley of Poweshiek for the day, on request of Johnson of Dickinson; Gesman of Marion for the forenoon, on request of Stookesberry of Davis; Leonard of Taylor indefinitely, on request of Napier of Ringgold; Colbert of Union for the day, on request of Fackler of Adams; Quirk of Sac for the day, on request of Held of Plymouth; Moen of Lyon for the day, on request of Smith of Chickasaw; Forsling of Woodbury for the day, on request of Brittain of Madison; Famsey of Dutler for the day, on request of Ontjes of Grundy.

## CONSIDERATION OF BILLS

House File No. 301, a bill for an act to amend chapter seven (7), section twelve (12), acts of the thirty-ninth general assembly, relating to the practice of chiropractic, was taken up for consideration.

Elliott of Scott moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" rule 18 was invoked.

## The ayes were:

Alken	Grimwood	Mathews	Scott of
Anderson of	Hattendorf	Napier	Appanoose
Webster	Hauge	Natvig	Scott of Fremont
Blake	Healy	Noble	Smith of Lucas
Blume	Held	O'Donnell	Stock
Brittain	Hempel	Orr	Stookesberry
Buffington	Henderson	Parsons	Storey
Children	Himebauch	Peterson	Strippel
Clark	Hollis	Powers	Ulstad
Cole	Huff	Robson	Venard
Edge	Johnson	Rumley	Vincent
Elliot	King	Rust	Weber
Fackler	Knutson	Sampson	Williams
Gallagher	Letts	Saunders	Wilson
Gibson	Lichty	Schirmer	Yenter
Gilbert	Lieberknecht	Schulte	Mr. Speaker—64
Gilbertson	Long		

## The nays were:

Dooley	Matthiesen	Oliver	Slemmons—4
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## Absent or not voting:

Berry	Edson	Leonard	Ramsey
Bradley	Forsling	Lovrien	Rankin
Brady	Frahm	McClune	Rassler
Carter	Garber of Adair	Miller	Rewoldt
Colbert	Garber of Floyd	Moen	Rhinehart
Criswell	Gesman	Olson	Smith of
Dewar	Gilmore	Ontjes	Chickasaw
Diltz	Graham	Patterson	Wamstad
Donhowe	Hansen	Potts	Wolfe—40
Doolittle	Harrison	Quirk	
Dotts	Lake		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate File No. 43.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Robson of Greene, House File No. 69, a bill for an act to amend, revise, and codify chapter thirteen (13) of title

five (5), and chapters five (5) and six (6) of title seven (7) of the compiled code of Iowa, and chapter thirteen-A (13-A), of title five (5) of the supplement to the compiled code of Iowa, relating to hotels, restaurants, food establishments, and cold storage plants, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend section 1, line 24, by inserting the word "retail" after the word "kitchen,".

Amend section 2 by striking out of line 6 and line 7 the words "or restaurant".

Amend subsection 6 of section 5 by inserting after the word "works" in line 13 the following: "soda fountain,".

Amend section 10, line 3, by adding after the period following the word "water" the following: "All new slaughterhouses shall be constructed with cement, vitrified brick, or tile, or other impervious material floors and killing beds."

Amend section 18 at the end of subsection 6 by changing the period (.) to a comma (,) and adding the following: "except the same be for immediate slaughter."

Amend section 22, line 3, by inserting after the word "and" the word "thoroughly".

Amend by striking out section 23, and inserting in lieu thereof the following:

"No person shall be allowed to sleep in any workroom of any food establishment in which food is prepared for sale, served, stored or sold."

Amend section 50, line 10, by inserting after the word "plant", the words "or plants".

Amend section 55, line 2 by inserting after the word "report" the words "upon blanks furnished by the department".

Amend section 63, line 3, by inserting after the comma (,) following the word "sale" the words "cooked or".

Amend section 64, line 2, by inserting after the word "sale" the words "to consumers".

Amend section 64 by adding the following after the period in line 4: "The operator of a cold storage plant shall label all goods with the date when stored, which date shall not be removed when goods are removed, and in determining whether goods are 'cold stored' the time same have been stored in different plants shall be added together and the aggregate shall be the time stored and shall be so marked when sold."

Robson of Greene offered the following amendment to the Senate amendments and moved its adoption:

Amend the Senate amendment to section two (2) by striking therefrom following the word "of" the following: "line 6 and".

Amendment to the Senate amendment adopted.

Mr. Robson moved that the House concur in the Senate amendments to section 2, as amended, and sections 1, 10, 22, 50 and 55 and in the amendment to line 2 of section 64.

On the question "Shall the House concur?"

The ayes were:

Berry	Graham	Natvig	Schulte
Blake	Grimwood	O'Donnell	Scott of
Blume	Hattendorf	Ontjes	Appanoose
Buffington	Healy	Orr	Scott of Fremont
Clark	Held	Farsons	Stemmons
Cole	Hempel	Peterson	Smith of
Dewar	Henderson	Potts	Chickasaw
Diltz	Himebauch	Powers	Smith of Lucas
Dooley	Hollis	Kewcldt	Stock
Doolittle	Johnson	Robson	Strippel
Dotts	King	Rumley	Vincent
Elliott	Letts	Rust	Weber
Gallagher	Lieberknecht	Sampson	Williams
Garber of Adair	Long	Saunders	Wilson
Gibson	Mathews	Schirmer	Mr. Speaker—60
Gilmore	Napier		

The nays were:

Brittain	Gilbertson	Oliver	Storey
Children	Huff	Rankin	Wolfe—11
Fackler	Knutson	Stokesberry	

Absent or not voting:

Aiken	Edson	Leonard	Quirk
Anderson of	Forsling	Lichty	Ramsey
Webster	Frahm	Lovrien	Rassler
Bradley	Garber of Floyd	McClune	Rhinehart
Brady	Gesman	Matthiesen	Ulstad
Carter	Gilbert	Miller	Venard
Colbert	Hansen	Moen	Wamstad
Criswell	Harrison	Noble	Yenzer—37
Donhowe	Hauge	Olson	
Edge	Lake	Patterson	

The House concurred in the Senate amendments to section 2, as amended, and sections 1, 10, 22, 50 and 55 and the amendment to line 2 of section 64.

Oliver of Monona offered the following amendment to the Senate amendment to section 23 and moved its adoption:

Amend Senate amendment to section 23 by inserting after the word "in"

in the first line thereof the words "nor shall any domestic animal be kept in".

Amendment to the Senate amendment rejected.

Mr. Robson moved that the House refuse to concur in the Senate amendments to sections 5, 18, 23 and 63, and in the second amendment to section 64.

Himebauch of Emmet asked for a division of the question.

Johnson of Dickinson offered the following amendment to subsection 6 of section 5 and moved its adoption:

Amend the Senate amendment to subsection 6 of section 5 by inserting after the word "fountain" the words "except where in connection with a licensed food establishment".

Amendment to the Senate amendment adopted.

On the question "Shall the House concur in the Senate amendment to subsection 6 of section 5, as amended?"

The ayes were:

Blake	Gilmore	Matthiesen	Schirmer
Buffington	Graham	Natvig	Smith of
Clark	Hattendorf	O'Donnell	Chickasaw
Cole	Held	Oliver	Smith of Lucas
Dewar	Hempel	Parsons	Stookesberry
Diltz	Henderson	Patterson	Strippel
Dooley	Himebauch	Peterson	Venard
Edge	Hollis	Potts	Vincent
Elliott	Johnson	Powers	Weber
Fackler	King	Rankin	Wilson
Gallagher	Lieberknecht	Rewoldt	Mr. Speaker—49
Garber of Adair	Long	Rumley	
Garber of Floyd	Mathews	Saunders	

The nays were:

Aiken	Gilbert	Orr	Slemmons
Anderson of	Gilbertson	Rhinehart	Stock
Webster	Grimwood	Robson	Storey
Berry	Healy	Rust	Ulstad
Blume	Huff	Sampson	Wamstad
Children	Knutson	Schulte	Williams
Doolittle	Letts	Scott of	Wolfe
Dotts	Napier	Appanoose	Yenter—33
Gibson	Noble	Scott of Fremont	

Absent or not voting:

Bradley	Edson	Lake	Olson
Brady	Forsling	Leonard	Ontjes
Brittain	Frahm	Lichty	Quirk
Carter	Gesman	Lovrien	Ramsey
Colbert	Hansen	McClune	Rassler—26
Criswell	Harrison	Miller	
Donhowe	Hauge	Moen	

The motion having failed to receive a constitutional majority, the House refused to concur in the Senate amendment to subsection 6 of section 5, as amended.

On the question "Shall the House concur in the Senate amendments to sections 18, 23 and 63, and in the second amendment to section 64?"

The ayes were:

Dooley	Knutson	Long	Mathews—5
Hattendorf			

The nays were:

Anderson of Webster	Gilbert Gilbertson	O'Donnell Oliver	Scott of Fremont Stemmons
Berry	Gilmore	Ontjes	Smith of Chickasaw
Blake	Graham	Orr	Smith of Lucas
Blume	Grimwood	Parsons	Stock
Brittain	Healy	Patterson	Stookesberry
Buffington	Held	Peterson	Storey
Children	Hempel	Powers	Strippel
Clark	Henderson	Rankin	Ulstad
Cole	Himebauch	Rhinehart	Venard
Dewar	Hollis	Robson	Weber
Diltz	Johnson	Rumley	Williams
Doolittle	King	Rust	Wilson
Dotts	Letts	Sampson	Wolfe
Edge	Lieberknecht	Saunders	Yenter
Elliott	Matthiesen	Schirmer	Mr. Speaker—71
Fackler	Napier	Schulte	
Gallagher	Natvig	Scott of	
Gibson	Noble	Appanoose	

Absent or not voting:

Aiken	Forsling	Huff	Olson
Bradley	Frahm	Lake	Potts
Brady	Garber of Adair	Leonard	Quirk
Carter	Garber of Floyd	Lichty	Ramsey
Colbert	Gesman	Lovrien	Rassler
Criswell	Hansen	McClune	Rewoldt
Donhowe	Harrison	Miller	Vincent
Edson	Hauge	Moen	Wamstad—32

The House refused to concur in the Senate amendments to sections 18, 23 and 63, and in the second amendment to section 64 of House File No. 69.

#### APPOINTMENT OF CONFERENCE COMMITTEE

As a conference committee on Senate File No. 9, the Speaker appointed the following members on the part of the House: Sampson of Audubon, Rust of Franklin, Henderson of Hamilton and Fackler of Adams.

## BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: Senate File No. 43.

## AMENDMENTS FILED

Henderson of Hamilton filed the following amendment to Senate File No. 203:

Amend Senate File No. 203 by inserting a comma (,) after the word "directors" in line one (1) of section two (2) and adding the following: "subject to revision by the association at any general or special meeting,".

Lovrien of Humboldt filed the following amendment to the committee amendments to Senate File No. 203:

Amend the committee amendments to Senate File No. 203 by inserting in section five (5) in line five (5) of said amendment following the word "of" the words "telephone and".

Elliott of Scott filed the following amendment to the committee amendments to House File No. 262:

Amend the committee amendments to House File No. 262 by striking out all of amendment No. 15 and inserting in lieu the following:

(15) Section 92, immediately after the section insert the following:

Sec. 92-a1. Licensing of pharmacists, chiropractors, and osteopaths.

The provisions of this chapter relative to the making of application for a license, the issuance of a license, the negotiation of reciprocal agreements for recognition of foreign licenses, the collection of license and renewal fees, and the preservation of records shall not apply to the licensing of persons to practice pharmacy, chiropractic, "osteopathy", or "osteopathy and surgery", but such licensing shall be governed by the following regulations:

1. Every application for a license to practice such a profession shall be made direct to the secretary of the examining board for such profession.
2. Such license and all renewals thereof shall be issued by the examining board for such profession.
3. Every reciprocal agreement for the recognition of any such license issued in another state shall be negotiated by the examining board for such profession.
4. All license and renewal fees exacted from persons licensed to practice any such profession shall be paid to and collected by the secretary of the examining board for such profession.
5. All records in connection with the licensing of pharmacists, chiropractors, "osteopaths", and "osteopaths and surgeons" shall be kept by the secretary of the respective examining boards for such professions.

out all records not needed for the current use of such boards shall be deposited with the department of health.

Sec. 92-a2. Certification of licenses and renewals.

After each examination the secretary of the examination board for pharmacy, chiropractic, "osteopathy" and "osteopathy and surgery" shall certify to the department of health in the manner prescribed by the department the names of all persons licensed by the board of which he is secretary. The department shall then make the required entry in the registry book as provided in section eight (8). On July first each year, or as soon as practicable thereafter, the secretary of each of the above boards shall certify to the department a list of practitioners licensed by the board of which he is secretary who have paid their renewal fees and are in good standing.

Sec. 92-a3. Regulations governing certain examining boards.

In discharging the duties and exercising the powers provided for in the two preceding sections the several examining boards and their secretaries shall be governed by all the provisions of this chapter which govern the department of health when discharging a similar duty or exercising a similar power with reference to any of the professions regulated by this title.

Sec. 92-a4. Clerical help and supplies.

Subject to the approval of the executive council, the examining boards for pharmacy, chiropractic, "osteopathy" and "osteopathy and surgery" may employ such clerical assistance as may be necessary to enable said board to perform the duties imposed upon them by law. Payment for such assistance shall be made out of the appropriation provided for in section twenty-four (24). The executive council shall also furnish said boards with the necessary quarters and all articles and supplies required for the public use and the provisions of section twenty-five (25) shall not apply to said boards.

Sec. 92-a5. Secretary of pharmacy examiners.

The pharmacy examiners shall have the right to employ a full time secretary who shall not be a member of the examining board at such compensation as may be fixed from time to time in the biennial salary act. The provisions of section twenty-one (21) providing for a secretary for each examining board shall not apply to the pharmacy examiners.

Sec. 92-a6. Duties of secretary of pharmacy examiners.

The secretary of the pharmacy examiners shall, upon the direction of said examiners, make inspections of alleged violations of the provisions of this title relative to the practice of pharmacy and of chapters nine (9) and ten (10) of House File two hundred sixty-one-A (261-A), special session, Fortieth General Assembly. Said secretary shall furnish the department of health with any information obtained by him with reference to any violation of the provisions of this title relative to the practice of pharmacy. He shall be allowed his necessary traveling and hotel expenses in making such inspections, which shall be paid out of the appropriation provided for in section twenty-four (24).

Elliott of Scott filed the following amendment to House File No. 262:

Amend House File No. 262, section 150, line 5, by striking out the following: "board of osteopathy, board of chiropractic examiners,".

On motion of Clark of Linn the House adjourned until 9:00 a. m. Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 18, 1924.

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

Prayer was offered by the Rev. A. E. Slothower, pastor of the M. E. church, Jefferson, Iowa.

Journal of March 17th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Harrison of Pottawattamie for the day, on request of Children of Pottawattamie; Forsling of Woodbury for the day, on request of Brittain of Madison.

## INTRODUCTION OF BILL

Unanimous consent having been obtained to suspend the rule prohibiting the introduction of bills, the following bill was introduced:

House File No. 303, by Smith of Chickasaw, a bill for an act to legalize an election held on the 21st day of January, 1924, in and for the town of Ionia, county of Chickasaw, state of Iowa, on the propositions of constructing a municipal electric light and power system and of issuing bonds in the sum of fourteen thousand dollars (\$14,000) to pay the cost thereof, and to legalize all acts and proceedings of the town council of said town in respect to said election and said bonds.

Read first and second times and referred to committee on judiciary.

## CONSIDERATION OF BILLS

Senate File No. 201, a bill for an act to amend, revise, and codify sections fifty-three hundred forty-five (5345), fifty-four hundred forty-four (5444), fifty-four hundred forty-eight (5448), and fifty-four hundred fifty-three (5453) of the compiled code

of Iowa, and section fifty-three hundred thirty-one (5331) and fifty-three hundred sixty-seven (5367) of the supplement to the compiled code, relating to corporations for profit and not for profit, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Grimwood of Jones the amendments proposed by the committee, found in the Journal of March 14th, were adopted.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File No. 201 by striking from the last line of section three (3) the words "the members of" and inserting in lieu thereof the words "those appointed by".

Amendment adopted.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File No. 201, section 1, line 7, by inserting after the word "paid" the words "or have been exempted from".

Amendment adopted.

Doolittle of Delaware moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gallagher	Lovrien	Saunders
Webster	Garber of Adair	McClune	Schirmer
Blume	Garber of Floyd	Matthiesen	Schulte
Bradley	Gesman	Moen	Scott of
Brady	Gibson	Napier	Appanoose
Brittain	Graham	Natvig	Scott of Fremont
Buffington	Grimwood	O'Donnell	Slemmons
Carter	Hattendorf	Olson	Smith of
Children	Healy	Ontjes	Chickasaw
Colbert	Held	Orr	Smith of Lucas
Cole	Hempel	Parsons	Stock
Criswell	Henderson	Patterson	Stokesberry
Dewar	Himebauch	Peterson	Storey
Diltz	Hollis	Powers	Strippel
Donhowe	Huff	Quirk	Ulstad
Dooley	Johnson	Ramsey	Venard
Doolittle	King	Rankin	Vincent
Dotts	Knutson	Rewoldt	Wamstad
Edge	Letts	Rhinehart	Weber
Elliott	Lichty	Robson	Williams
Fackler	Lieberknecht	Rust	Wilson
Frahm	Long	Sampson	Mr. Speaker—85

The nays were:

Blake Edson	Mathews Miller	Oliver Rassler	Wolfe—7
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Absent or not voting:

Aiken	Gilbert	Harrison	Noble
Berry	Gilbertson	Hauge	Potts
Clark	Gilmore	Lake	Rumley
Forsling	Hansen	Leonard	Yenter—16

So the bill having received a constitutional majority was declared to have passed the House.

Doolittle of Delaware offered the following amendment to the title and moved its adoption:

Amend the title to Senate File No. 201 by striking from the last two (2) lines thereof the words "for profit and not for profit".

Amendment adopted and the title, as amended, was agreed to.

#### SPECIAL ORDER NO. 2

Time having arrived for Special Order No. 2, Senate File No. 93, with House amendments thereto, was taken up for consideration.

On request of Storey of Warren, unanimous consent having been obtained, further action on the amendments was deferred until Wednesday, March 19th.

Senate File No. 203, a bill for an act to amend, revise, and codify sections five thousand three hundred ninety-eight (5398) and five thousand four hundred one (5401) of the compiled code of Iowa, relating to cooperative associations, with report of committee recommending amendment and passage, was taken up for consideration.

The following amendment filed by Lovrien of Humboldt to the committee amendments was taken up and considered:

Amend the committee amendments to Senate File No. 203 by inserting in section five (5) in line five (5) of said amendment following the word "of" the words "telephone and".

On motion of Mr. Lovrien the amendment to the amendment was adopted.

On motion of Doolittle of Delaware the amendments proposed by the committee, found in the Journal of March 14th, as amended, were adopted.

The following amendment filed by Henderson of Hamilton was taken up and considered:

Amend Senate File No. 203 by inserting a comma (,) after the word "directors" in line one (1) of section two (2) and adding the following: "subject to revision by the association at any general or special meeting."

On motion of Mr. Henderson the amendment was adopted.

Doolittle of Delaware moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Garber of Adair	McClune	Rust
Anderson of	Garber of Floyd	Mathews	Sampson
Webster	Gesman	Matthiesen	Saunders
Berry	Gibson	Miller	Schirmer
Blake	Gilbert	Moen	Schulte
Blume	Gilbertson	Napier	Scott of
Bradley	Gilmore	Natvig	Appanoose
Brady	Graham	Noble	Scott of Fremont
Brittain	Grimwood	O'Donnell	Slemmons
Buffington	Hattendorf	Oliver	Smith of
Carter	Healy	Olson	Chickasaw
Children	Held	Ontjes	Smith of Lucas
Clark	Hempel	Orr	Stock
Colbert	Henderson	Parsons	Stookesberry
Criswell	Himebauch	Patterson	Storey
Dewar	Hollis	Peterson	Strippel
Donhowe	Huff	Powers	Ulstad
Dooley	Johnson	Quirk	Venard
Doolittle	King	Ramsey	Vincent
Dotts	Knutson	Rankin	Wamstad
Edge	Letts	Rassler	Weber
Edson	Lichty	Rewoldt	Williams
Elliott	Lieberknecht	Rhinehart	Wilson
Fackler	Long	Robson	Wolfe
Frahm	Lovrien	Rumley	Mr. Speaker—98
Gallagher			

The nays were, none.

Absent or not voting:

Cole	Hansen	Lake	Potts
Diltz	Harrison	Leonard	Yenter—10
Forsling	Hauge		

So the bill having received a constitutional majority was declared to have passed the House.

Doolittle of Delaware offered the following amendment to the title and moved its adoption:

Amend the title to Senate File No. 203 by inserting after the word "Iowa" in the last line thereof the following: "and section five thousand four hundred eight-a one (5408-a1) of the supplement to the compiled code".

Amendment adopted and the title, as amended, was agreed to.

Senate File No. 21, a bill for an act to amend, revise, and codify chapter two (2) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to nominations by primary elections and convention, also to amend section three (3) of House File two hundred fifty-eight (258), passed at the extra session of the fortieth general assembly, entitled "an act relating to the nomination and election of officers, employees, and assistants in cities acting under the commission form of government", with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of March 15th, were taken up and considered.

On request of Dewar of Cherokee, unanimous consent having been obtained, committee amendments Nos. 3 and 4 were withdrawn.

On motion of Dewar of Cherokee committee amendments Nos. 1 and 2 were adopted.

The following amendment filed by Scott of Appanoose was taken up and considered:

Amend Senate File No. 21 by striking out section 54 and inserting in lieu thereof the following:

"Sec. 54. Who nominated for county office.

The candidate or candidates of each political party for each office to be filled by the voters of the county having received the highest number of votes shall be duly and legally nominated as the candidate of his party for such office, provided such number of votes is not less than the following:

1. In case there are three (3) candidates for any office, not less than thirty-five per cent (35%) of all the votes cast by the party for such office.
2. In case there are four (4) candidates for any office, not less than thirty per cent (30%) of all the votes cast by the party for such office.
3. In case there are five (5) candidates for any office, not less than twenty-five per cent (25%) of all the votes cast by the party for such office.
4. In case there are six (6) or more candidates for any office, not less than twenty per cent (20%) of all the votes cast by the party for such office.

Sec. 54-a1. Minimum percentage required in certain cases.

No candidate whose name is not printed on the official ballot who receives less than ten per cent (10%) of the whole number of votes cast in the county for governor on the party ticket with which he affiliates, at the last general election, shall be declared to have been nominated to any office under the preceding section."

Ontjes of Grundy offered the following amendment to the amendment filed by Scott of Appanoose and moved its adoption:

Amend the amendment filed by Scott of Appanoose by striking therefrom subsections three (3) and four (4).

On the question "Shall the amendment to the amendment be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Healy Napier	Olson Ontjes	Storey Mr. Speaker—10
Gilbertson	Oliver	Smith of Lucas	

The nays were:

Berry	Frahm	Lichty	Rumley
Blake	Gallagher	Long	Rust
Blume	Garber of Adair	Lovrien	Sampson
Bradley	Garber of Floyd	McClune	Schirmer
Brady	Gesman	Mathews	Schulte
Brittain	Gibson	Matthiesen	Scott of Appanoose
Buffington	Gilbert	Miller	Scott of Fremont
Carter	Gilmore	Moen	Slemmons
Children	Graham	Natvig	Smith of Chickasaw
Clark	Grimwood	Noble	Orr
Colbert	Hattendorf	O'Donnell	Stock
Cole	Hauge	Orr	Stookesberry
Criswell	Held	Parsons	Strippel
Dewar	Hempel	Patterson	Ulstad
Diltz	Henderson	Peterson	Venard
Donhowe	Hollis	Powers	Vincent
Dooley	Huff	Quirk	Wamstad
Doolittle	Johnson	Ramsey	Weber
Dotts	King	Rankin	Williams
Edge	Knutson	Rassler	Wilson
Edson	Lake	Rhinehart	Yenter—86
Elliott	Letts	Robson	

Absent or not voting:

Aiken	Hansen	Leonard	Rewoldt
Fackler	Harrison	Lieberknecht	Saunders
Forsling	Himebauch	Potts	Wolfe—12

The amendment to the amendment was rejected.

On the question "Shall the amendment by Scott of Appanoose be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Criswell Dooley	Gilbertson Moen	Scott of Appanoose
Berry	Frahm	Napier	Smith of Lucas
Blume	Gesman	Orr	Stookesberry—15
Colbert			

The nays were:

Blake	Garber of Floyd	Mathews	Sampson
Bradley	Gibson	Matthiesen	Schirmer
Brady	Gilbert	Miller	Schulte
Brittain	Gilmore	Natvig	Scott of Fremont
Buffington	Graham	Noble	Slemmons
Carter	Grimwood	Oliver	Smith of Chickasaw
Children	Hattendorf	Olson	Stock
Clark	Hauge	Ontjes	Storey
Cole	Held	Parsons	Strippel
Dewar	Hempel	Patterson	Venard
Diltz	Henderson	Peterson	Vincent
Donhowe	Hollis	Powers	Wamstad
Doolittle	Johnson	Quirk	Weber
Dotts	King	Ramsey	Williams
Edge	Knutson	Rankin	Wilson
Edson	Letts	Rassler	Wolfe
Elliott	Lichty	Rhinehart	Yenter
Fackler	Long	Robson	Mr. Speaker—78
Gallagher	Lovrien	Rumley	
Garber of Adair	McClune	Rust	

Absent or not voting:

Aiken	Healy	Leonard	Rewoldt
Forsling	Himebauch	Lieberknecht	Saunders
Hansen	Huff	O'Donnell	Ulstad—15
Harrison	Lake	Potts	

The amendment by Scott of Appanoose was rejected.

Blake of Fayette moved to reconsider the vote by which the committee amendments were adopted.

Motion prevailed.

Blake of Fayette asked for a division of committee amendment No. 1.

Johnson of Dickinson offered the following amendment as a substitute for section 3 of the bill and the committee amendment proposed thereto and moved its adoption:

"Candidates of all political parties for all offices which are filled at a regular biennial election by direct vote of the people, except the office of judge of the supreme and district courts, shall be nominated at a primary election at the time and in the manner hereinafter directed."

Children of Pottawattamie moved that action on Senate File No. 21 be deferred until the amendment proposed by Johnson of Dickinson is printed in the Journal.

Carter of Hardin moved that Senate File No. 21 be rereferred to the committee on elections.

The motion of Carter of Hardin was ruled out of order.

The motion of Children of Pottawattamie was lost.

The substitute amendment offered by Johnson of Dickinson was adopted.

On motion of Dewar of Cherokee, committee amendment No. 2 was adopted.

Dewar of Cherokee offered the following amendment and moved its adoption:

Amend section 115-a1 by striking from line five (5) thereof the word "second" and inserting in lieu thereof the word "Monday" and by striking from line six (6) thereof the word "third" and inserting in lieu thereof the word "Tuesday".

Amendment adopted.

Dewar of Cherokee offered the following amendment and moved its adoption:

Amend Senate File No. 21 by adding thereto the following as section 123:

Sec. 123. Publication clause.

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

Amendment adopted.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File No. 21, section 11, line 5, by striking therefrom the following: "for presidential elector,".

Amendment adopted.

#### SPECIAL ORDER NO. 3

Time having arrived for Special Order No. 3, House File No. 42, a bill for an act to amend, revise, and codify chapter three (3) of title five (5) of the compiled code of Iowa, and sections

eight hundred twenty-three-a one (823-a1), eight hundred thirty-two (832), and eight hundred forty-three (843) of the supplement to said code, relating to employers' liability and workmen's compensation, was taken up for consideration.

On request of Clark of Linn, unanimous consent having been obtained, action on House File No. 42 was deferred until Thursday, March 20th, at 10:00 a. m.

The House resumed consideration of Senate File No. 21.

Dewar of Cherokee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	McClune	Saunders
Anderson of	Garber of Adair	Mathews	Schirmer
Webster	Garber of Floyd	Matthlesen	Schulte
Berry	Gesman	Moen	Scott of
Blake	Gibson	Napier	Appanoose
Blume	Gilbertson	Natvig	Scott of Fremont
Bradley	Gilmore	Noble	Slemmons
Brady	Graham	O'Donnell	Smith of
Brittain	Grimwood	Oliver	Chickasaw
Buffington	Hattendorf	Olson	Smith of Lucas
Carter	Hauge	Ontjes	Stock
Clark	Healy	Orr	Stookesberry
Colbert	Held	Parsons	Storey
Cole	Hempel	Patterson	Strippel
Criswell	Henderson	Peterson	Ulstad
Dewar	Himebauch	Potts	Venard
Diltz	Hollis	Powers	Vincent
Donhowe	Huff	Quirk	Wamstad
Dooley	Johnson	Ramsey	Weber
Doolittle	King	Rankin	Williams
Dotts	Knutson	Rewoldt	Wilson
Edge	Letts	Rhinehart	Wolfe
Edson	Lichty	Robson	Yenter
Elliott	Lieberknecht	Rumley	Mr. Speaker—99
Fackler	Long	Rust	
Frahm	Lovrien	Sampson	

The nays were:

Children	Miller	Rassler—3
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Absent or not voting:

Forsling	Hansen	Lake	Leonard—6
Gilbert	Harrison		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 27, a bill for an act to amend, revise, and codify chapter nine (9) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the right of a voter to vote when disabled or when absent from the polls on election day, or when engaged in the service of the government of the United States, or of this state, with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of March 15th, were taken up and considered.

Children of Pottawattamie offered the following amendment to the committee amendments and moved its adoption:

Amend the committee amendments by striking therefrom committee amendment No. 6.

Amendment to the committee amendments adopted.

On motion of Aiken of Ida the committee amendments, as amended, were adopted.

Mr. Aiken moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lovrien	Schirmer
Anderson of	Garber of Adair	McClune	Schulte
Webster	Garber of Floyd	Mathews	Scott of
Berry	Gesman	Matthiesen	Appanoose
Blake	Gibson	Moen	Scott of Fremont
Blume	Gilbertson	Napier	Slemmons
Bradley	Gilmore	Natvig	Smith of
Brady	Graham	Noble	Chickasaw
Brittain	Grimwood	O'Donnell	Smith of Lucas
Buffington	Hattendorf	Oliver	Stookesberry
Carter	Hauge	Olson	Storey
Children	Healy	Orr	Strippel
Colbert	Held	Parsons	Ulstad
Cole	Hempel	Patterson	Venard
Criswell	Henderson	Peterson	Vincent
Diltz	Hollis	Powers	Wamstad
Donhowe	Johnson	Ramsey	Weber
Dooley	King	Rankin	Williams
Doolittle	Knutson	Rewoldt	Wilson
Dotts	Lake	Robson	Wolfe
Edge	Letts	Rumley	Yenter
Edson	Lichty	Rust	Mr. Speaker—91
Fackler	Lieberknecht	Sampson	
Frahm	Long	Saunders	

The nays were, none.

Absent or not voting:

Clark	Hansen	Leonard	Quirk
Dewar	Harrison	Miller	Rassler
Elliott	Himebauch	Ontjes	Rhinehart
Forsling	Huff	Potts	Stock—17
Gilbert			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### PROOF OF PUBLICATION OF HOUSE FILE NO. 303

The official proof of publication of House File No. 303, a bill for an act to legalize an election held on the 21st day of January, 1924, in and for the town of Ionia, county of Chickasaw, state of Iowa, on the propositions of constructing a municipal electric light and power system and of issuing bonds in the sum of fourteen thousand dollars (\$14,000.00) to pay the cost thereof, and to legalize all acts and proceedings of the town council of said town in respect to said election and said bonds, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

#### REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 297, a bill for an act to legalize the corporate acts and proceedings of the Farmers Savings Bank of Beaconsfield, Iowa, and to authorize the renewal of the period of corporate existence of said 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.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKERS Your committee on judiciary to whom was referred House File No. 300, a bill for an act to legalize certain acknowledgments and acts of notaries public, beg leave to report they have had 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. F. CLARK, *Chairman.*

Report adopted.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that, he had on March 15th, approved the following bills: House Files Nos. 294 and 71.

## 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. 305, a bill for an act to repeal chapter three hundred ten (310) acts of the Thirty-ninth (39) General Assembly and chapter three hundred thirty-five (335) acts of the Fortieth (40) General Assembly, relating to an appropriation for the purpose of making insurance tax refunds and to provide for the return of the unexpended balance of said appropriation to the general revenues of the state.

Also, that the Senate insists on its amendments to House File No. 66, a bill for an act relating to state fair and agricultural organizations receiving state aid, and requests the appointment of a conference committee. The President has appointed as such conference committee on the part of the Senate, Senators Shaff, Mead, Cessna and Kimberly.

Also, that the Senate insists on its amendments to House File No. 220, a bill for an act relating to municipal courts, and requests the appointment of a conference committee. The President has appointed as such conference committee on the part of the Senate, Senators Dutcher, Reed, Scott and Wichman.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 65, a bill for an act relating to the department of agriculture and fruit-tree and forest reservations.

L. W. AINSWORTH, *Secretary*.

## SENATE AMENDMENTS TO HOUSE FILE NO. 65

Amend by striking from paragraph 1 of section 3 after the word "co-operate" in line 2 thereof the following: "in all ways that the department may deem" and inserting in lieu thereof the following: "in all ways that may be".

Amend section 6, by striking from line 18 the word "drugs" and substituting therefor the words "stock food and stock tonics".

## SENATE MESSAGE CONSIDERED

Senate File No. 305, a bill for an act to repeal chapter three hundred ten (310) acts of the Thirty-ninth (39) General Assembly and chapter three hundred thirty-five (335) acts of the

Fortieth (40) General Assembly, relating to an appropriation for the purpose of making insurance tax refunds and to provide for the return of the unexpended balance of said appropriation to the general revenues of the state.

Read first and second times and referred to committee on appropriations.

#### AMENDMENTS FILED

Ontjes of Grundy filed the following amendments to the amendments filed by him on March 10th to House File No. 14:

1. Amend the amendment to section 32, line 6, by striking out all after the word "as" and inserting in lieu thereof the following: "gasoline, fuel oil, and coal".

2. Also amend said amendments by adding thereto the following as section 36:

Sec. 36. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines Register, a newspaper published in the city of Des Moines, and the Waterloo Courier, a newspaper published in the city of Waterloo.

On motion of Gilbertson of Winneshiek the House adjourned until 9:00 a. m. Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 19, 1924.

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

Prayer was offered by the Rev. M. F. Campbell, pastor of the M. E. church, Yarmouth, Iowa.

Journal of March 18th corrected and approved.

## PETITIONS

Ramsey of Butler presented a petition from citizens of New Hartford urging the repeal of the law relative to liquor permits for druggists. Referred to committee on suppression of intemperance.

Lovrien of Humboldt presented a petition from the board of supervisors of Humboldt county, favoring a gasoline tax bill and urging further regulation of traffic on highways. Referred to committee on roads and highways.

Blume of Crawford presented a petition from citizens of Deloit urging the repeal of the law relative to liquor permits for druggists. Referred to committee on suppression of intemperance.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Hansen of Scott for the day, on request of Elliott of Scott.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 72, 82 and 144.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## REPORT OF COMMITTEE

Healy of Hancock, 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. 114, a bill for an act to amend, revise, and codify sections two thousand seven hundred twenty-eight (2728) to two thousand seven hundred thirty-eight (2738), inclusive, two thousand seven hundred forty-six (2746), two thousand seven hundred forty-seven (2747), two thousand seven hundred forty-nine (2749) to two thousand seven hundred fifty-three (2753), inclusive, two thousand seven hundred fifty-six (2756) to two thousand seven hundred sixty-four (2764), inclusive, two thousand seven hundred sixty-seven (2767) and two thousand seven hundred sixty-eight (2768) of the compiled code of Iowa, and section two thousand seven hundred forty-eight (2748) of the supplement to said code, 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 as follows, and when so amended the bill do pass:

(1) Amend section 1 by striking from lines one (1) and two (2) the words "a legislative reference section". Also strike the comma (,) following the word "section" in line two (2).

(2) Amend section 7, subsection 1, by striking from lines two (2) and three (3) the words "general and medical sections of the" and insert the word "state" before the word "library"; also by striking from line three (3) the words "both of". Strike out of subsection 2, lines five (5) and six (6), the words "sections of the"; add a comma (,) after the word "library" in line six (6), strike out the words "under his charge," in line six (6); also strike the word "them" and insert following the word "keep" the words "the library". In subsection 3, line ten (10), strike out the word "sections" and insert in lieu thereof the word "library". In subsection 4, line thirteen (13), strike out the word "languages" and insert in lieu thereof the word "terms". In subsection 5, line sixteen (16), strike out the words "sections of the". Strike out all of subsection 6.

(3) Strike out all of section 10 and substitute in lieu thereof the following:

"The law librarian shall have charge of the law library, including the legislative reference bureau thereof, under the supervision of the state librarian."

(4) Amend the title of said bill by striking the words and figures "thirty-eight (38)" in line two (2) and inserting in lieu thereof the words and figures "thirty-nine (39)". Also by striking the words and figures "thirty-eight (38)" in line two (2) of the sub-enacting clause and inserting in lieu thereof the words and figures "thirty-nine (39)".

E. P. HEALY, *Chairman.*

Report adopted.

## INTRODUCTION OF BILL

Unanimous consent having been obtained to suspend the rule prohibiting the introduction of bills at this time, the following bill was introduced:

House File No. 304, by Hollis of Black Hawk, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Black Hawk county, Iowa.

Read first and second times and referred to committee on judiciary.

## PROOF OF PUBLICATION OF HOUSE FILE NO. 304

The official proof of publication of House File No. 304, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Black Hawk county, Iowa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## CONSIDERATION OF BILLS

House File No. 262, a bill for an act to amend, revise, and codify sections thirteen hundred twenty-seven (1327) to thirteen hundred twenty-nine (1329), inclusive, thirteen hundred thirty-two (1332) to thirteen hundred thirty-four (1334), inclusive, thirteen hundred thirty-nine (1339) to thirteen hundred forty-four (1344), inclusive, fourteen hundred twelve (1412), fourteen hundred sixteen (1416) to fourteen hundred nineteen (1419), inclusive, fourteen hundred twenty-one (1421) to fourteen hundred twenty-three (1423), inclusive, fourteen hundred twenty-five (1425), and fourteen hundred twenty-six (1426) of the compiled code of Iowa, and chapters six (6), twelve (12), and thirteen (13) of title six (6) of the compiled code of Iowa and the supplement to said code, and chapters six-A (6-A), seven (7), and seven-A (7-A) of title six (6), and sections thirteen hundred thirty (1330), thirteen hundred thirty-one (1331), thirteen hundred forty-five (1345), fourteen hundred thirteen (1413) to fourteen hundred fifteen (1415), inclusive, and fourteen hundred twenty (1420) of the supplement to the compiled code of Iowa, relating to the practice of certain professions affecting the public health, with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of March 15th, were taken up and considered.

A division of the committee amendments was asked for.

A division of committee amendment No. 1 was asked for.

On motion of Grimwood of Jones, the committee amendment to section 5, line 3, was adopted.

On motion of Grimwood of Jones, the committee amendment to section 5, line 5, was adopted.

On motion of Grimwood of Jones, committee amendment No. 2 was adopted.

On motion of Grimwood of Jones, committee amendment No. 3 was adopted.

On motion of Grimwood of Jones, committee amendment No. 4 was adopted.

On motion of Grimwood of Jones, committee amendment No. 5 was adopted.

On motion of Grimwood of Jones, committee amendment No. 6 was adopted.

On motion of Grimwood of Jones, committee amendment No. 7 was adopted.

On motion of Grimwood of Jones, committee amendment No. 8 was adopted.

On motion of Grimwood of Jones, committee amendment No. 9 was adopted.

On motion of Grimwood of Jones, committee amendments Nos. 10, 11 and 12 were adopted.

On motion of Grimwood of Jones, committee amendment No. 13 was adopted.

On motion of Grimwood of Jones, committee amendment No. 14 was adopted.

The following amendment filed by Elliott of Scott to the committee amendments was taken up and considered:

Amend the committee amendments to House File No. 262 by striking out all of amendment No. 15 and inserting in lieu the following:

(15) Section 92, immediately after the section insert the following:

Sec. 92-a1. Licensing of pharmacists, chiropractors, and osteopaths.

The provisions of this chapter relative to the making of application for a license, the issuance of a license, the negotiation of reciprocal agreements for recognition of foreign licenses, the collection of license and renewal fees, and the preservation of records shall not apply to the licensing of persons to practice pharmacy, chiropractic, "osteopathy", or "osteopathy and surgery", but such licensing shall be governed by the following regulations:

1. Every application for a license to practice such a profession shall be made direct to the secretary of the examining board for such profession.

2. Such license and all renewals thereof shall be issued by the examining board for such profession.

3. Every reciprocal agreement for the recognition of any such license issued in another state shall be negotiated by the examining board for such profession.

4. All license and renewal fees exacted from persons licensed to practice any such profession shall be paid to and collected by the secretary of the examining board for such profession.

5. All records in connection with the licensing of pharmacists, chiropractors, "osteopaths", and "osteopaths and surgeons" shall be kept by the secretary of the respective examining boards for such professions, but all records not needed for the current use of such boards shall be deposited with the department of health.

#### Sec. 92-a2. Certification of licenses and renewals.

After each examination the secretary of the examination board for pharmacy, chiropractic, "osteopathy" and "osteopathy and surgery" shall certify to the department of health in the manner prescribed by the department the names of all persons licensed by the board of which he is secretary. The department shall then make the required entry in the registry book as provided in section eight (8). On July first each year, or as soon as practicable thereafter, the secretary of each of the above boards shall certify to the department a list of practitioners licensed by the board of which he is secretary who have paid their renewal fees and are in good standing.

#### Sec. 92-a3. Regulations governing certain examining boards.

In discharging the duties and exercising the powers provided for in the two preceding sections the several examining boards and their secretaries shall be governed by all the provisions of this chapter which govern the department of health when discharging a similar duty or exercising a similar power with reference to any of the professions regulated by this title.

#### Sec. 92-a4. Clerical help and supplies.

Subject to the approval of the executive council, the examining boards for pharmacy, chiropractic, "osteopathy" and "osteopathy and surgery" may employ such clerical assistance as may be necessary to enable said board to perform the duties imposed upon them by law. Payment for such assistance shall be made out of the appropriation provided for in section twenty-four (24). The executive council shall also furnish said boards

with the necessary quarters and all articles and supplies required for the public use and the provisions of section twenty-five (25) shall not apply to said boards.

Sec. 92-a5. Secretary of pharmacy examiners.

The pharmacy examiners shall have the right to employ a full time secretary who shall not be a member of the examining board at such compensation as may be fixed from time to time in the biennial salary act. The provisions of section twenty-one (21) providing for a secretary for each examining board shall not apply to the pharmacy examiners.

Sec. 92-a6. Duties of secretary of pharmacy examiners.

The secretary of the pharmacy examiners shall, upon the direction of said examiners, make inspections of alleged violations of the provisions of this title relative to the practice of pharmacy and of chapters nine (9) and ten (10) of House File two hundred sixty-one-A (261-A), special session, Fortieth General Assembly. Said secretary shall furnish the department of health with any information obtained by him with reference to any violation of the provisions of this title relative to the practice of pharmacy. He shall be allowed his necessary traveling and hotel expenses in making such inspections, which shall be paid out of the appropriation provided for in section twenty-four (24).

Mr. Elliott moved the adoption of the amendment to the committee amendment.

On the question "Shall the amendment to committee amendment No. 15 be adopted?" a roll call was demanded.

The ayes were:

Anderson of	Forsling	Knutson	Rumley
Webster	Frahm	Lake	Rust
Blake	Garber of Adair	Letts	Schulte
Blume	Gesman	McClune	Scott of
Children	Gilbert	Moen	Appanoose
Clark	Grimwood	O'Donnell	Smith of Lucas
Colbert	Hauge	Olson	Stokesberry
Donhowe	Healy	Parsons	Yenter
Dooley	Hempel	Peterson	Mr. Speaker—39
Doolittle	Henderson	Ramsey	
Elliott	Himebauch		

The nays were:

Bradley	Gibson	Long	Powers
Brady	Gilbertson	Lovrien	Quirk
Brittain	Graham	Mathews	Rassler
Buffington	Harrison	Matthiesen	Rewoldt
Cole	Hattendorf	Miller	Rhinehart
Criswell	Held	Napier	Robson
Dotts	Hollis	Natvig	Sampson
Edge	Johnson	Noble	Saunders
Edson	King	Oliver	Schirmer
Fackler	Lichty	Ontjes	Scott of Fremont
Gallagher	Lieberknecht	Patterson	Slemmons

Smith of Chickasaw Stock	Storey Strippel Venard	Vincent Weber Williams	Wilson Wolfe—54
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Absent or not voting:

Aiken Berry Carter Dewar	Diltz Garber of Floyd Gilmore Hansen	Huff Leonard Orr Potts	Rankin Ulstad Wamstad—15
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The amendment filed by Elliott of Scott to committee amendment No. 15 was rejected.

On motion of Cole of Harrison, committee amendment No. 15 was adopted.

On motion of Grimwood of Jones, committee amendment No. 16 was adopted.

On motion of Grimwood of Jones, committee amendment No. 17 was adopted.

On motion of Grimwood of Jones, committee amendment No. 18 was adopted.

Bradley of Poweshiek offered the following amendment and moved its adoption:

Amend House File No. 262, section 132, line 5, by striking therefrom the word "continuous".

Amendment rejected.

Blake of Fayette offered the following amendment as a substitute for committee amendment No. 19:

Amend section 122-a1, line 3, by inserting after the word "requirements" the words "be substantially"; also, at the close of the section after the word "dentistry" insert the following: "after the year 1927".

Slemmons of Buchanan moved the previous question on the substitute amendment and committee amendment No. 19.

Motion prevailed.

The substitute amendment offered by Blake of Fayette was rejected.

Grimwood of Jones moved the adoption of committee amendment No. 19.

On the question "Shall committee amendment No. 19 be adopted?" a roll call was demanded.

The ayes were:

Aiken	Gallagher	McClune	Sampson
Anderson of Webster	Garber of Adair Garber of Floyd	Mathews Mathiesen	Schirmer Schulte
Berry	Gesman	Miller	Scott of Appanoose
Blume	Gibson	Napier	Scott of Fremont
Brady	Gilbert	Natvig	Stemmons
Bellington	Gilmore	O'Donnell	Smith of Chickasaw
Carter	Grimwood	Oliver	Smith of Lucas
Children	Harrison	Olson	Stock
Clark	Hattendorf	Ontjes	Stookesberry
Colbert	Hauge	Orr	Storey
Cole	Held	Parsons	Strippel
Criswell	Henderson	Patterson	Venard
Dewar	Himebauch	Peterson	Wamstad
Diltz	Hollis	Patts	Weber
Donhowe	Huff	Powers	Williams
Dooley	Johnson	Quirk	Wilson
Doolittle	King	Ramsey	Wolfe
Dotts	Lake	Rassler	Yenter
Edson	Letts	Rewoldt	Mr. Speaker—91
Elliott	Lichty	Rhinehart	
Fackler	Lieberknecht	Robson	
Forsling	Long	Rumley	
Frahm	Lovrien	Rust	

The nays were:

Blake                      Knutson—2

Absent or not voting:

Bradley	Graham	Leonard	Saunders
Brittain	Hansen	Moen	Ulstad
Edge	Healy	Noble	Vincent—15
Gilbertson	Hempel	Rankin	

Committee amendment No. 19 was adopted.

On motion of Grimwood of Jones, committee amendments Nos. 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 were adopted.

The following amendment filed by Elliott of Scott was taken up and considered:

Amend House File No. 262, section 159, line 5, by striking out the following: "board of osteopathy, board of chiropractic examiners."

Mr. Elliott moved the adoption of the amendment.

Amendment rejected.

Lake of Woodbury offered the following amendments:

Amend House File No. 262 as follows:

(1) Insert the following as section 106-A:

Sec. 106-A. Limitations—interpreting clause.

Subject only to the limitation that obtaining license, refusal to license, revocation or suspension of license of osteopathic physicians or osteopathic surgeons shall be governed by the provisions of this chapter and to the further limitation that nothing found in the chapter shall authorize such physician or surgeon to prescribe or give internal curative medicines, and subject further to the limitation that one licensed to practice as an osteopathic physician only shall not perform major or perative surgery. Such words as physician, regular practicing physician, doctor, doctor of medicine, regular practitioner, medical practitioner, medical school, medical college, or their equivalents, wheresoever found in any existing law or statute, shall, both as to privilege, duty and obligation, be enlarged to include osteopathic physicians and osteopathic physicians and surgeons to like effect as if the words osteopathic physician or osteopathic physician and surgeon were written out in such statute.

(2) Amend section 1, line 5, by striking the words "osteopath and osteopath and surgeon" and insert in lieu thereof "osteopathic physician and osteopathic surgeon".

(3) Amend section 5, line 3, after the word "health" add the following: "and the president of examining boards".

(4) Amend section 14, line 5, by striking the words "and surgeon".

(5) Amend section 18, line 6, by striking the following words "and a successor to be appointed to take his place".

(6) Amend section 19, line 1, by inserting after the word "society" the following: "or its board of trustees".

(7) Amend section 22, line 1, by inserting after the word "shall" the following: "the boards shall meet at least twice a year and not more than four times a year to transact such business as may come before it and".

(8) Amend section 30, line 4, by striking the following: "shall make recommendations relative thereto and".

Amend section 30, line 7, by striking the words "so recommended and".

Amend section 30, line 8, by striking the following words "recommendations and".

(9) Amend section 32, line 2, by striking the word "department" and inserting in lieu thereof the words "examining boards".

(10) Amend section 40, line 2, by striking the word "department" and inserting in lieu thereof the words "examining boards".

(11) Amend section 51, line 1, by striking the words "the department and".

(12) Amend section 71, lines 5 and 6, by striking the words "or national accrediting agency" and insert in lieu thereof the words "society or association".

Amend section 71, lines 8 and 9, by striking the words "or national accrediting agency" and insert in lieu thereof the words "society or association".

(13) Amend section 72, lines 8 and 9, by striking the words "at places other than his office maintained at the place of his residence".

(14) Amend section 74, line 2, by striking the words "osteopath", licensed "osteopath and surgeon" and insert in lieu thereof the words "osteopathic physician, licensed osteopathic surgeon".

Amend section 74, lines 6 and 7, by striking the words "osteopath," itinerant "osteopath and surgeon", and insert in lieu thereof the words "osteopathic physician", itinerant, "osteopathic surgeon".

Amend section 75, lines 2 and 3, by striking the words "osteopath, 'osteopath and surgeon'", and insert in lieu thereof the words "osteopathic physician and osteopathic surgeon".

Amend section 79, line 30, by striking the words "osteopath, osteopath and surgeon", and insert in lieu thereof the words "osteopathic physician, itinerant, osteopathic surgeon".

Amend section 94, line 11, by striking the words "osteopath, osteopath and surgeon" and insert in lieu thereof the words "osteopathic physician, osteopathic surgeon".

Amend section 98, lines 2 and 3, by striking all of subsection one (1), and insert in lieu thereof the following:

Subsec. 1. Licensed "physicians and surgeons", nor licensed "osteopathic physicians" and "osteopathic surgeons".

Amend section 103, line 4, by striking the word "osteopath" and insert in lieu thereof the words "osteopathic physicians and osteopathic surgeons".

(15) Amend section by striking out subsection two (2) and subsection A and number section B subsection C.

(16) Amend section 104, lines 7, 8, 9 and 10, by striking the words "osteopath, or osteopath and surgeons" and insert in lieu thereof the words "osteopathic physicians or osteopathic surgeons".

(17) Amend section 109, line 2, by striking the words "or give" and insert in lieu thereof the following words in line three after the word "medicine": "which shall not include such prescriptions as antiseptics, germicides, parasiticides, narcotics and antidotes."

(18) Amend section 111, lines 3 and 4, by striking the words "osteopath and licensed osteopaths and surgeons" and insert in lieu thereof the words "osteopathic physicians and osteopathic surgeons".

Amend section 121, lines 6 and 7, by striking the words "osteopaths and surgeons" and insert in lieu thereof the words "osteopathic physicians and osteopathic surgeons".

Amend section 135, line 8, by inserting after the word "surgeon": "licensed, osteopathic physician and osteopathic surgeon".

Mr. Lake moved the adoption of amendment No. 1.

Amendment No. 1 was rejected.

By unanimous consent amendment No. 2 was withdrawn.

On motion of Lake of Woodbury amendment No. 3 was adopted.

Elliott of Scott offered the following amendment as a substitute for amendment No. 4:

Amend section 14, line 5, by inserting after the word "licensed" the words "osteopath or an".

On motion of Mr. Elliott the substitute amendment was adopted.

On motion of Lake of Woodbury, amendments Nos. 5 and 6 were adopted.

Amendments Nos. 7, 8, 9 and 10 were rejected.

By unanimous consent amendment No. 11 was withdrawn.

On motion of Lake of Woodbury, amendments Nos. 12 and 13 were adopted.

By unanimous consent amendments Nos. 14, 15 and 16 were withdrawn.

Mr. Lake moved the adoption of amendment No. 17.

On the question "Shall amendment No. 17 be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Dooley Elliott	Huff Lake	Rankin Rhinehart
Blake	Forsling	O'Donnell	Rumley
Blume	Frahm	Olson	Schulte
Carter	Garber of Adair	Ontjes	Smith of Lucas
Children	Gesman	Orr	Stookesberry
Clark	Hauge	Parsons	Wamstad
Colbert	Healy	Potts	Mr. Speaker—34
Donhowe	Hempel	Ramsey	

The nays were:

Brittain	Grimwood	Miller	Schirmer
Buffington	Hattendorf	Moen	Scott of Fremont
Cole	Held	Napier	Slemmons
Criswell	Hollis	Natvig	Smith of Chickasaw
Doolittle	Johnson	Noble	Storey
Dotts	Letts	Oliver	Strippel
Fackler	Lichty	Patterson	Weber
Gallagher	Lieberknecht	Powers	Williams
Garber of Floyd	Long	Robson	Wilson
Gibson	Mathews	Sampson	Wolfe—43
Gilmore	Matthiesen	Saunders	

Absent or not voting:

Aiken	Brady	Edge	Gilbertson
Berry	Dewar	Edson	Graham
Bradley	Diltz	Gilbert	Hansen

Harrison	Leonard	Rassler	Stock
Henderson	Lovrien	Rewoldt	Ulstad
Himebauch	McClune	Rust	Venard
King	Peterson	Scott of	Vincent
Knutson	Quirk	Appanoose	Yenter—31

Amendment No. 17 by Lake of Woodbury was rejected.

By unanimous consent amendment No. 18 was withdrawn.

McClune of Mahaska moved to reconsider the vote by which committee amendment No. 3 was adopted.

Motion prevailed and the vote was reconsidered.

Committee amendment No. 3 was rejected.

McClune of Mahaska offered the following amendment and moved its adoption:

Amend section thirty-six (36), as amended, by striking the period (.) after the word "examination" and inserting in lieu thereof the following: "but in the case of the medical examlners a quorum shall consist of one member from each school of medical practice represented on said board."

Amendment adopted.

Blake of Fayette offered the following amendment and moved its adoption:

Amend House File No. 262, section 79, subsection 8, line 31, by inserting after the comma (,) the following: "residents of the state, one hundred dollars (\$100.00), and to nonresidents".

Amendment rejected.

Elliott of Scott offered the following amendment and moved its adoption:

Amend House File No. 262 by striking therefrom all of section 83.

Amendment adopted.

Grimwood of Jones moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Bradley	Children	Dewar
Webster	Brady	Clark	Diltz
Berry	Brittain	Colbert	Donhowe
Blake	Buffington	Cole	Dooley
Blume	Carter	Criswell	Doolittle

Dotts	Hempel	Noble	Scott of
Edge	Henderson	O'Donnell	Appanoose
Edson	Himebauch	Oliver	Scott of Fremont
Elliott	Hollis	Olson	Slemmons
Fackler	Huff	Ontjes	Smith of
Forsling	Johnson	Parsons	Chickasaw
Frahm	King	Patterson	Smith of Lucas
Gallagher	Knutson	Peterson	Stock
Garber of Adair	Lake	Quirk	Stookesberry
Gesman	Letts	Ramsey	Strippel
Gibson	Licity	Rankin	Ulstad
Gilbert	Lieberknecht	Rewoldt	Venard
Gilbertson	Lovrien	Rhinehart	Wamstad
Gilmore	McClune	Robson	Weber
Graham	Mathews	Rumley	Williams
Grimwood	Matthiesen	Rust	Wilson
Harrison	Miller	Saunders	Wolfe
Hattendorf	Napier	Schirmer	Yenter
Hauge	Natvig	Schulte	Mr. Speaker—93

The nays were, none.

Absent or not voting:

Alken	Held	Orr	Sampson
Garber of Floyd	Leonard	Potts	Storey
Hansen	Long	Powers	Vincent—15
Healy	Moen	Rassler	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### APPOINTMENT OF CONFERENCE COMMITTEES

As a conference committee on House File No. 66, the Speaker appointed the following members on the part of the House: Brady of O'Brien, Rust of Franklin, Sampson of Audubon and Held of Plymouth.

As a conference committee on House File No. 220, the Speaker appointed the following members on the part of the House: Gilbert of Marshall, Diltz of Polk, Johnson of Dickinson and Hollis of Black Hawk.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 72, 82 and 144.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Children of Pottawattamie, House File No. 65, a bill for an act to amend, revise, and codify sections nine hundred

seven (907), fourteen hundred forty (1440), fourteen hundred forty-three (1443), fourteen hundred fifty-two (1452), fourteen hundred sixty-nine (1469), fourteen hundred seventy-two (1472), fourteen hundred eighty-one (1481), fifteen hundred thirty-six (1536), fifteen hundred ninety-two (1592), sixteen hundred thirteen (1613), sixteen hundred seventeen (1617), sixteen hundred twenty-six (1626), sixteen hundred twenty-seven (1627), and sixteen hundred ninety-nine (1699) of the compiled code of Iowa and sections eight hundred ninety-nine (899), nine hundred three (903), fourteen hundred forty-two (1442), fifteen hundred thirty-two-a fifteen (1532-a15), sixteen hundred thirty-one-a one (1631-a1) to sixteen hundred thirty-one-a fifteen (1631-a15), inclusive, sixteen hundred fifty-three-a one (1653-a1) to sixteen hundred fifty-three-a seven (1653-a7), inclusive, and seventeen hundred eleven (1711) of the supplement to said code, relating to the department of agriculture and fruit-tree and forest reservations, with Senate amendments, found in the House Journal of March 18th, was taken up and the amendments read and considered.

A division of the amendments was asked for.

Mr. Children moved that the House refuse to concur in the Senate amendment to section 3.

On the question "Shall the House concur?"

The ayes were:

Bradley	Gallagher	Long	Schulte—7
Donhowe	Hollis	Rankin	

The nays were:

Anderson of	Forsling	Lichty	Saunders
Webster	Frahm	Lieberknecht	Schirmer
Blume	Gibson	Lovrien	Slemmons
Brady	Gilbert	Mathews	Smith of
Brittain	Gilbertson	Miller	Chickasaw
Buffington	Grimwood	Napier	Smith of Lucas
Children	Harrison	Natvig	Stookesberry
Coibert	Hattendorf	Noble	Strippel
Criswell	Healy	Parsons	Venard
Dewar	Held	Peterson	Wamstad
Dooley	Henderson	Quirk	Weber
Dotts	Himebauch	Ramsey	Wilson
Edge	Huff	Rumley	Wolfe
Edson	King	Rust	Mr. Speaker—56
Fackler	Letts		

Absent or not voting:

Aiken	Gilmore	O'Donnell	Robson
Berry	Graham	Oliver	Sampson
Blake	Hansen	Olson	Scott of
Carter	Hauge	Ontjes	Appanoose
Clark	Hempel	Orr	Scott of Fremont
Cole	Johnson	Patterson	Stock
Diltz	Knutson	Potts	Storey
Doolittle	Lake	Powers	Ulstad
Elliott	Leonard	Rassler	Vincent
Garber of Adair	McClune	Rewoldt	Williams
Garber of Floyd	Matthiesen	Rhinehart	Yenter—45
Gesman	Moen		

The House refused to concur in the Senate amendment to section 3 of House File No. 65.

Children of Pottawattamie offered the following amendment to the Senate amendment to section 6 and moved its adoption:

Amend the Senate amendments to House File No. 65 by striking out all the Senate amendments to section 6, subsection 10, and inserting in lieu the following:

"Amend House File No. 65, section 6, subsection 10, by striking out the "period (.)" in line 19, and inserting in lieu the following: ", but chapters nine (9) and ten (10) of said title shall be enforced as therein provided."

Amendment to the Senate amendment adopted.

Mr. Children moved that the House concur in the Senate amendment, as amended, to section 6.

On the question "Shall the House concur?"

The ayes were:

Anderson of	Garber of Adair	McClune	Rust
Webster	Gibson	Mathews	Saunders
Blume	Gilbert	Miller	Schirmer
Brady	Gilbertson	Moen	Schulte
Brittain	Grimwood	Napier	Slemmons
Buffington	Harrison	Natvig	Smith of
Children	Hattendorf	Noble	Chickasaw
Coibert	Healy	Orr	Smith of Lucas
Cole	Held	Parsons	Stookesberry
Criswell	Henderson	Patterson	Strippel
Dewar	Himebauch	Peterson	Venard
Dooley	Hollis	Potts	Wamstad
Doits	Huff	Powers	Weber
Edge	King	Quirk	Wilson
Edson	Letts	Ramsey	Wolfe
Fackler	Lichty	Rankin	Yenter
Forsling	Lieberknecht	Rhinehart	Mr. Speaker—72
Frahm	Long	Robson	
Gallagher	Lovrien	Rumley	

The nays were, none.

## Absent or not voting:

Aiken	Garber of Floyd	Leonard	Scott of
Berry	Gesman	Matthiesen	Appanoose
Blake	Gilmore	O'Donnell	Scott of Fremont
Bradley	Graham	Oliver	Stock
Carter	Hansen	Olson	Storey
Clark	Hauge	Ontjes	Ulstad
Diltz	Hempel	Rassler	Vincent
Donhowe	Johnson	Rewoldt	Williams—36
Doolittle	Knutson	Sampson	
Elliott	Lake		

The House concurred in the Senate amendment, as amended, to section 6 of House File No. 65.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this nineteenth day of March, 1924, sent to the Governor for his approval:

House Files Nos. 72, 82 and 144.

C. F. LETTS, *Chairman*

Report adopted.

## AMENDMENTS FILED

Diltz of Polk filed the following amendments to House File No. 295:

Amend House File No. 295 as follows:

- (1) Amend section 9, line 3, by striking the word "discuss" and inserting in lieu thereof the words "present objections to".
- (2) Amend section 11, line 6, by striking all of said line following the word "by", and inserting in lieu thereof the words "resolution and upon the passage of such resolution".
- (3) Amend section 12, lines 3 and 4, by striking therefrom the words "direct vote of the people at a meeting duly and regularly called" and inserting in lieu thereof the words "a majority vote of those voting at a regular election or a special election called for that purpose".
- (4) Amend by striking all of sections 13, 14, 15, 16, 17, and 18.
- (5) Amend section 19, lines 1 and 2, by striking therefrom the words "It shall be the duty of the budget committee to prepare all the estimates required by law", and inserting in lieu thereof the words "It shall be the duty of the levying board in each case to prepare the estimates as herein provided, with regard to all funds and expenditures for which such levying board is authorized by law to levy taxes".

(6) Amend section 25 by striking from line 1 the words and figures "Ten (10) or more freeholders in" and inserting in lieu thereof the words and figures "Twenty (20) or more taxpayers of".

Further amend such section by changing the period following the word "thereof" in line 6 to a semicolon (;) and inserting immediately thereafter the following: "provided, however, that in no case shall more than one-half ( $\frac{1}{2}$ ) of the taxpayers affected be required in order to file such petition."

(7) Amend section 26, line 6, by striking the word "freeholders" and substituting in lieu thereof "taxpayers, or to all of said taxpayers, in case the number joining in the petition be less than ten (10);".

Further amend by striking from line 5 the words "executive officers" and inserting in lieu thereof the words "members of the levying board".

(8) Amend section 27, line 3, by inserting after the word "proceedings" the words "as provided by law".

Further amend by striking from lines 9 and 10 the words "in said municipal corporation" and inserting in lieu thereof "in a newspaper published and of general circulation".

(9) Amend section 28, lines 3 and 4, by striking the words and figures "ten (10) or more freeholders" and inserting in lieu thereof the words and figures "twenty (20) or more taxpayers who are affected".

Further amend such section by changing the period (.) in line 6 to a semicolon (;) and inserting immediately thereafter the following: "provided, however, that in no case shall more than one-half ( $\frac{1}{2}$ ) of the taxpayers affected be required in order to file such petition."

(10) Amend section 29, line 12, by striking the words "executive officer" and inserting in lieu thereof the words "members of the levying board".

(11) Amend by inserting the following section as section 30-a1:

"The actual costs of any hearing on appeal herein provided for shall be determined and assessed by the state budget committee and shall be paid by the petitioners in case the state budget committee shall not modify the ruling of the levying board appealed from and by the municipal corporation if such ruling shall be so modified."

Yenter of Johnson moved that the House adjourn until 9:30 a. m. Thursday.

Slemmons of Buchanan moved to amend the motion by changing the hour from 9:30 a. m. to 9:00 a. m.

Amendment rejected.

Motion of Yenter of Johnson prevailed and the House stood adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 20, 1924.

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

Prayer was offered by the Rev. E. Carnell Wilson, pastor of the Congregational church, Peterson, Iowa.

Journal of March 19th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Hansen of Scott for the day, on request of Elliott of Scott; Dewar of Cherokee indefinitely, on request of Garber of Ada'r.

## INTRODUCTION OF BILLS

Unanimous consent having been obtained to suspend the rule prohibiting the introduction of bills, the following bills were introduced:

Substitute for House File No. 42, by committee on judiciary, a bill for an act to amend, revise, and codify chapter three (3) of title five (5) of the compiled code of Iowa, as amended by sections eight hundred twenty-three-a one (823-a1), eight hundred thirty-two (832), and eight hundred forty-three (843) of the supplement to said code, relating to employers' liability and workmen's compensation.

Read first and second times and passed on file.

House File No. 88-A, by committee on schools and textbooks, a bill for an act to amend, revise and codify sections two thousand two hundred ninety-six (2296) to two thousand three hundred three (2303), inclusive, two thousand three hundred five (2305), two thousand three hundred seven (2307), two thousand three hundred eight (2308), two thousand four hundred eighty-one (2481) to two thousand four hundred eighty-eight (2488),

inclusive, and two thousand four hundred ninety-two (2492) to two thousand four hundred ninety-nine (2499), inclusive, of the compiled code, and sections two thousand two hundred ninety-five (2295), two thousand three hundred four (2304), two thousand three hundred six (2306) and two thousand four hundred eighty-two-a one (2482-a1) of the supplement to said code, relating to education.

Read first and second times and passed on file.

House File No. 305, by committee on motor vehicles and transportation, a bill for an act to amend section thirteen (13) of chapter ninety-seven (97) of the acts of the Fortieth General Assembly (S. C. C. 3081-a12), relating to the forfeiture of certificate of motor carriers and providing penalties for the violation of the statutes, rules and regulations promulgated thereunder.

Read first and second times and passed on file.

#### SPÉCIAL ORDER NO. 1

#### CONSIDERATION OF HOUSE AMENDMENTS

Senate File No. 93, a bill for an act to amend, revise, and codify sections two thousand three hundred ninety-six (2396), two thousand three hundred ninety-seven (2397), and two thousand four hundred fifteen (2415) of the compiled code of Iowa, relating to the Iowa state college of agriculture and mechanic arts, with House amendments thereto, was taken up for further consideration.

Edson of Buena Vista moved that the House insist upon its amendments.

Motion prevailed.

#### HOUSE FILE WITHDRAWN

On request of Robson of Greene, unanimous consent having been obtained, House File No. 291 was withdrawn from the committee on judiciary and from further consideration by the House.

#### APPOINTMENT OF CONFERENCE COMMITTEE

As a conference committee on Senate File No. 93, the Speaker

appointed the following members on the part of the House: Storey of Warren, Clark of Linn, Edson of Buena Vista and Harrison of Pottawattamie.

#### CONSIDERATION OF BILLS

House File No. 297, a bill for an act to legalize the corporate acts and proceedings of the Farmers Savings Bank of Beaconsfield, Iowa, and to authorize the renewal of the period of corporate existence of said bank, with report of committee recommending passage, was taken up for consideration.

Napier of Ringgold moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lieberknecht	Saunders
Anderson of Webster	Garber of Adair Garber of Floyd	Long McClune	Schirmer Schulte
Berry	Gesman	Mathews	Scott of
Blake	Gibson	Moen	Appanoose
Blume	Gilbert	Napier	Scott of Fremont
Brady	Gilbertson	Natvig	Stemmons
Brittain	Gilmore	Noble	Smith of
Buffington	Graham	Oliver	Chickasaw
Carter	Grimwood	Olson	Smith of Lucas
Children	Harrison	Ontjes	Stock
Colbert	Hattendorf	Parsons	Stookesberry
Cole	Hauge	Patterson	Storey
Criswell	Healy	Peterson	Strippel
Donhowe	Held	Potts	Ulstad
Dooley	Hempel	Powers	Venard
Doolittle	Henderson	Quirk	Vincent
Dotts	Himebauch	Rankin	Wamstad
Edge	Hollis	Rassler	Weber
Edson	Huff	Rhinehart	Williams
Elliott	King	Robson	Wilson
Fackler	Knutson	Rust	Wolfe
Forsling	Letts	Sampson	Mr. Speaker—91
Frahm	Lichty		

The nays were, none.

Absent or not voting:

Bradley	Johnson	Matthiesen	Ramsey
Clark	Lake	Miller	Rewoldt
Dewar	Leonard	O'Donnell	Rumley
Diltz	Lovrien	Orr	Yenter—17
Hansen			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 300, a bill for an act to legalize certain acknowledgments and acts of notaries public, with report of committee recommending passage, was taken up for consideration.

Stock of Allamakee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Frahm	Letts	Saunders
Webster	Gallagher	Lichty	Schlmer
Berry	Garber of Adair	Lieberknecht	Schulte
Blake	Garber of Floyd	Long	Scott of
Blume	Gesman	McClune	Appanoose
Brady	Gibson	Mathews	Scott of Fremont
Brittain	Gilbert	Matthiesen	Slemmons
Buffington	Gilbertson	Moen	Smith of Lucas
Carter	Gilmore	Napier	Stock
Children	Graham	Natvig	Stookesberry
Clerk	Grimwood	Noble	Storey
Colbert	Haitendorf	Oliver	Strippel
Cole	Hauge	Olson	Istad
Criswell	Healy	Ontjes	Venard
Donhowe	Held	Parsons	Vincent
Dooley	Hempel	Patterson	Wamstad
Doolittle	Henderson	Peterson	Weber
Dotts	Himebauch	Powers	Williams
Edge	Hollis	Quirk	Wilson
Edson	Huff	Rewoldt	Wolfe
Elliott	Johnson	Rhinehart	Mr. Speaker—88
Fackler	King	Robson	
Forsling	Knutson	Rust	

The nays were:

Smith of  
Chickasaw—1

Absent or not voting:

Aiken	Harrison	O'Donnell	Rassler
Bradley	Lake	Orr	Rumley
Dewar	Leonard	Potts	Sampson
Diltz	Lovrien	Ramsey	Yenter—19
Hansen	Miller	Rankin	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### SPECIAL ORDER NO. 2

House File No. 42, a bill for an act to amend, revise, and

codify chapter three (3) of title five (5) of the compiled code of Iowa, and sections eight hundred twenty-three-a one (823-a1), eight hundred thirty-two (832), and eight hundred forty-three (843) of the supplement to said code, relating to employers' liability and workmen's compensation, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Clark of Linn, Substitute for House File No. 42, by committee on judiciary, was substituted for House File No. 42 and all pending amendments thereto.

Substitute for House File No. 42, a bill for an act to amend, revise, and codify chapter three (3) of title five (5) of the compiled code of Iowa, as amended by sections eight hundred twenty-three-a one (823-a1), eight hundred thirty-two (832), and eight hundred forty-three (843) of the supplement to said code, relating to employers' liability and workmen's compensation, was taken up for consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third readings of a bill on the same day, Potts of Lee moved that the substitute bill by the committee on judiciary be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Edge	Hempel	O'Donnell
Anderson of	Edson	Henderson	Oliver
Webster	Elliott	Himebauch	Olson
Berry	Fackler	Hollis	Ontjes
Blake	Forsling	Huff	Orr
Blume	Frahm	Johnson	Parsons
Bradley	Gallagher	King	Patterson
Brady	Garber of Adair	Knutson	Peterson
Brittain	Garber of Floyd	Lake	Potts
Buffington	Gesman	Letts	Powers
Carter	Gibson	Lichty	Quirk
Children	Gilbert	Lieberknecht	Rankin
Clark	Gilbertson	Long	Rassler
Colbert	Gilmore	Lovrien	Rewoldt
Cole	Graham	McClune	Rhinehart
Criswell	Grimwood	Mathews	Robson
Diltz	Harrison	Matthiesen	Rumley
Donhowe	Hattendorf	Miller	Rust
Dooley	Hauge	Napier	Sampson
Doolittle	Healy	Natvig	Saunders
Dotts	Held	Noble	Schirmer

Schulte	Smith of	Strippel	Williams
Scott of	Chickasaw	Ulstad	Wilson
Appanoose	Smith of Lucas	Venard	Wolfe
Scott of Fremont	Stock	Vincent	Yenter
Slemmons	Stookesberry	Wamstad	Mr. Speaker—103
	Storey	Weber	

The nays were, none.

Absent or not voting:

Dewar	Leonard	Moen	Ramsey—5
Hansen			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### EXPLANATION OF FAILURE TO VOTE

Owing to my illness I was absent from the House when Substitute for House File No. 42 was voted upon. If I had been present I would have voted "aye" on the bill.

J. M. RAMSEY.

#### REPORT OF COMMITTEE

Hauge of Polk, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 305, a bill for an act to repeal chapter three hundred ten (310), acts of the Thirty-ninth (39) General Assembly and chapter three hundred thirty-five (335) acts of the Fortieth (40) General Assembly, relating to an appropriation for the purpose of making insurance tax refunds and to provide for the return of the unexpended balance of said appropriation to the general revenues of 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 do pass.

A. O. HAUGE, *Chairman*.

Report adopted.

#### AMENDMENTS FILED

Letts of Washington filed the following amendment to the committee amendments to House File No. 114:

Amend the committee amendments to House File No. 114 by striking amendment No. 4 and substituting as follows:

Amend the title to said bill by striking the words and figures "thirty-eight (38)" in line two (2) and inserting in lieu thereof the words and figures "forty-five (45)". Also by striking the words and figures "thirtv-

eight (38)" in line two (2) of the sub-enacting clause and inserting in lieu thereof the words and figures "forty-five (45)".

Grimwood of Jones filed the following amendment to the committee amendments to House File No. 114:

Amend the committee amendments to House File No. 114 by striking out of lines three (3) and four (4) of committee amendment No. 3 the following: "Including the legislative reference bureau thereof,".

On motion of Brittain of Madison the House adjourned until 9:30 a. m. Friday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 21, 1924.

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

Prayer was offered by the Rev. W. J. Fowler, pastor of the M. E. church, Brooklyn, Iowa.

Journal of March 20th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Doolittle of Delaware for the remainder of the week, on request of Slemmons of Buchanan; O'Donnell of Dubuque for the remainder of the week, on request of Weber of Dubuque; Buffington of Mills for the remainder of the week, on request of Peterson of Henry; Powers of Page for the remainder of the week, on request of Storey of Warren; Dooley of Van Buren for the remainder of the week, on request of Slemmons of Buchanan; Williams of Montgomery for the remainder of the week, on request of Children of Pottawattamie; Saunders of Palo Alto for the day, on request of Patterson of Kossuth; Clark of Linn for the remainder of the week, on request of Garber of Adair.

## REPORTS OF COMMITTEES

McClune of Mahaska, from the committee on motor vehicles and transportation, submitted the following report:

MR. SPEAKER: Your committee on motor vehicles and transportation to whom was referred House File No. 277, a bill for an act to amend, revise and codify chapter seventeen (17) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, sections thirty hundred forty-one (3041) to thirty hundred forty-four (3044), inclusive, eighty-eight hundred sixty-two (8862) and eighty-eight hundred sixty-three (8863) of the compiled code of Iowa, and sections eighty-six hundred forty-five-a five (8645-a5) to eighty-six hundred forty-five-a seven (8645-a7), inclusive, of the supplement to the compiled code of Iowa, relating to motor vehicles, travel upon the public highways, and criminal offenses relative to said subject matters, beg leave to report they have had the same under consideration and have instructed me to report the same back to the

House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

(1) Amend section 1 by striking from line 27 the words "consolidated school busses," and by striking the period (.) at the end of line 32 and inserting in lieu thereof the following: ", nor to any individual owner actually driving and operating his own motor vehicle in the business of transferring and drayage of baggage, trucking, and cartage for hire."

(2) Amend section 37 by striking from line 1 following the word "person" the words ", firm, or corporation".

(3) Amend section 38 by striking the period (.) at the end of the second paragraph and adding thereto the following: "or trailer".

(4) Amend section 76 by striking the comma (,) after the word "vehicle" in line 3, and inserting in lieu thereof a period (.), and striking all the rest of said section.

(5) Amend section 101 by striking out of line 3 the words and figures "ten dollars (\$10.00)" and inserting in lieu thereof the words and figures "five dollars (\$5.00)".

(6) Amend section 119 by inserting between the words "lenses" and "submitted" in line 2 thereof, the following: "or devices".

(7) Amend section 120 by inserting after the word "lenses" in line 1 the following: "or devices"; also by inserting after the word "lenses" in line 3 the following: "or devices"; also by inserting after the word "chapter," in line 4 the following: "and when installed,".

(8) Amend section 121 by inserting in line 2 after the word "lenses" the words "and devices"; also insert the words "and devices" at the end of line 2; also after the word "lenses" in line 5, the words "and devices".

(9) Amend said bill by inserting the following section immediately following section 126:

Sec. 126-a1. The board of supervisors of any county may appoint not more than two patrolmen whose special duty it shall be to enforce the provisions of the law relating to travel on the primary roads of the county outside of cities and towns. Any such patrolmen appointed shall, at all times while on duty, wear a distinctive cap, hat or uniform so that he may be clearly distinguished as an officer of the law by all persons using the public highway. He shall take the same oath as any peace officer and shall have the authority of a peace officer. The board may pay each such patrolman a salary not in excess of one hundred fifty dollars (\$150.00) per month and his necessary expenses incident to such duty. Said salary and expenses to be paid from the respective county's allotment of the primary road fund.

(10) Amend section 129 by adding thereto as subsection 5 the following: "Designate certain streets as boulevards or arterial highways and to provide that vehicles entering such street from intersecting streets shall come to a full stop before such entrance.

(11) Amend section 132 by inserting after the word "registration" in line 11 of subsection 3, the following: "and each transfer". Also amend

section 132 by striking from lines 9 and 10 the words and figures "twenty-five cents (25c)" and inserting in lieu thereof the words and figures "fifty cents (50c)".

(12) Amend section 144 by striking from line 2 the words and figures "twenty-five cents (25c)" and substituting in lieu thereof the words and figures "fifty cents (50c)". Also amend section 144 by inserting in line 3 after the word "license" the following: "or transfer".

(13) Amend section 160 by inserting after the word "a" appearing in line 1 the word "motor".

(14) Amend by striking from the bill sections 162-a1 and 162-a2.

(15) Amend section 164 by striking the word "and" which appears between the word "hand" and the word "indicating" in line 6 thereof and inserting in lieu thereof the following: "or by a proper signal or device".

(16) Amend section 199-a1 by striking from line 1 the following: "He who", and inserting in lieu thereof the words "Any person who".

J. C. McCLUNE, *Chairman*.

Report adopted.

Moen of Lyon, 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. 183, a bill for an act to amend, revise, and codify sections four thousand four hundred eighty-three (4483) to four thousand four hundred eighty-seven (4487), inclusive, four thousand five hundred eight (4508), four thousand five hundred nine (4509), four thousand five hundred ten (4510), four thousand five hundred eleven (4511), four thousand five hundred thirteen (4513), four thousand five hundred sixty-seven (4567), four thousand six hundred nineteen (4619), four thousand six hundred twenty (4620), and four thousand six hundred ninety-three (4693) of the compiled code of Iowa, and sections four thousand four hundred eighty-two (4482), four thousand four hundred ninety-three (4493), four thousand four hundred ninety-nine (4499), four thousand four hundred ninety-nine-a one (4499-a1), four thousand five hundred (4500), and four thousand six hundred nine (4609) of the supplement to said code, relating to 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 amended as follows, and when so amended the bill do pass:

(1) Amend the title by inserting in line six thereof following the figures in parentheses "(4567)," the words and figures "four thousand five hundred eighty-four (4584),".

Amend line 6 by inserting after the figures in parentheses "(4567)," the following: "four thousand six hundred seventeen (4617),".

Amend by adding after the figures in parentheses "(4567)," the words and figures "four thousand five hundred seventy-seven (4577),".

(2) Amend section 6, line 4, by striking therefrom the word "even-numbered" and substituting in lieu thereof the word "odd-numbered".

(3) Amend section 14 by striking therefrom the second sentence and substituting in lieu thereof the following: "In arriving at the total value of the shares of stock of such corporations, the amount of their capital actually invested in real estate owned by them and in the shares of stock of corporations owning only the real estate, inclusive of leasehold interest, if any, on or in which the bank or trust company is located, shall be deducted from the real value of such shares."

(4) Amend section 16 by inserting in line three (3) after the word "title" the words, "and except as provided in section seventeen-a one hereof,".

(5) Amend by adding after section 17 the following:

That section four thousand five hundred seventy-seven (4577) of the compiled code is amended, revised, and codified to read as follows:

Sec. 17-a1. Company defined—verification of statement.

The word "company" as used in this chapter and section forty-four hundred eighty-six (4486) shall be deemed and construed to mean and include any person, copartnership, association, corporation or syndicate (except cooperative corporations or associations which are not organized or operated for profit), that shall own or operate transmission line or lines for the conducting of electric energy located within the state and wholly or partly outside cities and towns, whether formed or organized under the laws of this state or elsewhere; and the verification of any statement required by law shall, in the case of a person, be made by such person; in case of a corporation, by the president or secretary thereof; and in the case of a copartnership, association or syndicate, by some member, officer or agent thereof, having knowledge of the facts. The value of the interests of members in such cooperative corporations or associations which are not organized or operated for profit shall, for the purpose of taxation, be deemed real estate, and be assessed as part of the real estate served by such transmission line or lines.

(6) Amend section 20, line 6, by striking therefrom the word "alphabetically,".

(7) Amend the three lines immediately preceding section 22 by inserting after the word "sections" the following: "four thousand six hundred seventeen (4617),".

(8) Amend section 22 by adding after the word "credits" in line 7 thereof the words "and other monied capital taxed at a flat rate as provided in section four thousand five hundred four (4504) of the compiled code".

(9) Amend section 23 by adding after the word "credits" in line 6 thereof the words "and other monied capital taxed at a flat rate as provided in section four thousand five hundred four (4504) of the compiled code".

Amend by striking the period at the end of said section and adding

the words "and other monied capital taxed at a flat rate as provided in section four thousand five hundred four (4504) of the compiled code".

(10) Amend section 26 by striking out all of said section.

(11) Amend section 28 by striking from lines 1 to 4, inclusive, the following: ", and the actual cost not exceeding ten dollars (\$10.00) paid for a search of the records to ascertain the liens, if any, and the names of the owners thereof,".

(12) Amend by adding after section 28 the following:

That section four thousand five hundred eighty-four (4584) of the compiled code is amended, revised, and codified to read as follows:

Sec. 29. Actual value as basis of taxation—how determined.

All property subject to taxation shall be valued at its actual value which shall be entered opposite each item, and, except as otherwise provided, shall be assessed at twenty-five per cent (25%) of such actual value.

Such assessed value shall be taken and considered as the taxable value of such property upon which the levy shall be made. Actual value of property as used in this title shall mean its value in the market in the ordinary course of trade.

In arriving at said actual value the assessor shall take into consideration its productive and earning capacity, if any, past, present, and prospective; its market value, if any, and all other matters that affect the actual value of the property.

T. E. MOEN, *Chairman*.

Report adopted.

Lake of Woodbury, from the committee on board of control, submitted the following report:

MR. SPEAKER: Your committee on board of control to whom was referred House File No. 84, a bill for an act to amend, revise, and codify title nine (9) of the compiled code of Iowa and of the supplement to said code, relating to charitable, correctional, and penal institutions, and the juvenile 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 amended as follows, and when so amended the bill do pass:

(1) Strike from section 55, line 1, the word "Semiannual" and insert in lieu thereof the word "Quarterly".

(2) Strike sections 68-a4 and 68-a5 from the bill.

(3) Amend section 79 by changing the period at end of line two (2) to a comma and adding the following: "and be credited to the support fund of the institution of which the intestate was an inmate."

(4) Amend section 85 by striking therefrom the first three lines and substituting in lieu thereof the following: "The operation of sterilization may be performed on any inmate of any of the institutions under the control and management of the board of control".

(5) Amend section 90 by inserting after the word "inducted," in line eight (8) the words "members of the northern border brigade," and by inserting the word "original" in line nine (9) between the word "time" and "application".

Amend section 90 by adding after the word "person" in subsection one (1), line eight (8), the words "at time of his original admission"; also by striking the words "for admission into said home" from lines nine (9) and ten (10).

Amend section 90, subsection two (2), by adding after the word "person" in line thirteen (13) the words "for admission into said home", and by striking from line fifteen (15) the words "for admission into the home".

Amend section 90, subsection three (3), by striking from line sixteen (16) the words and figures "nineteen hundred five (1905)" and inserting in lieu thereof the words and figures "nineteen hundred ten (1910)".

(6) Amend sections 90, 94, 95, 101, 102, 108, 109, and 110 by striking the word "inmates" wherever it appears in said sections, and inserting in lieu thereof the word "members"; also by striking out the words "an inmate" in said sections and inserting in lieu thereof the words "a member"; also by striking out the word "inmate" in all other places where it appears in said sections and inserting in lieu thereof the word "member".

(7) Insert after section 110 the following:

#### CHAPTER 3-A

#### IOWA SOLDIERS' ORPHANS' HOME

##### Sec. 110-a1. Objects.

The Iowa soldiers' orphans' home shall be maintained for the purpose of providing for children therein a common school education and such useful and regular employment and training as will enable them to be self-sustaining. The board of control and superintendent of the home shall assist all discharged children in securing suitable homes and proper employment.

##### Sec. 110-a2. Salary of superintendent.

The salary of the superintendent of said home shall be twenty-four hundred dollars (\$2,400.00) per year.

##### Sec. 110-a3. Admissions.

Admission to said home shall be granted to resident children of the state under eighteen (18) years of age, as follows, giving preference in the order named:

1. Destitute children, and orphans unable to care for themselves, of soldiers, sailors, or marines.
2. Neglected or dependent children committed thereto by the juvenile court.

### 3. Other destitute children.

#### Sec. 110-a4. Procedure for admission.

The procedure for commitment to said home shall be the same as provided by chapter fifteen (15) of title nine (9), but admission may be granted on voluntary applications signed by the legal custodian of the child and approved by a judge of a court of record, or by the board of supervisors, of the county of the child's residence. Such applications shall be subject to the approval of the board of control and shall be in such form as it may prescribe.

#### Sec. 110-a5. Transfer to and from the home.

The board of control may transfer to the home minor wards of the state from any institution under its charge; but no person shall be so transferred who is not mentally normal, or who is incorrigible, or has any vicious habits, or whose presence in the home would be inimical to the moral or physical welfare of normal children therein, and any such child in the home may be transferred to the proper state institution.

#### Sec. 110-a6. Profits and earnings of child.

Any profits arising from labor at the home shall be placed at interest in some savings bank, and each child paid, when discharged, in proportion as his labor contributed to the fund. The earnings of a child who is placed with others under contract shall be used, held, or otherwise applied for the exclusive benefit of said child.

#### Sec. 110-a7. Regulations.

All children admitted or committed to the home shall be wards of the state and subject to the rules of the home. Subject to the approval of the board, any child received under voluntary application may be expelled by the superintendent for disobedience and refusal to submit to proper discipline. Children shall be discharged upon arriving at the age of eighteen (18) years, or sooner if possessed of sufficient means to provide for themselves.

#### Sec. 110-a8. Enumeration of soldiers' orphans.

The assessor in each odd-numbered year shall take an enumeration of the children of deceased soldiers who were in the military service of the government, naming the company or organization to which the soldiers belonged, with the age and sex of the children. The auditors of the several counties shall furnish the assessors with the proper blanks for taking such lists. The lists so returned shall be revised from time to time, as may be necessary, by the board of supervisors, and a record made of such action.

#### Sec. 110-a9. Adoption of children.

Any child in said home who is an orphan, or who has been abandoned by his parents, or whose parents or surviving parent consent in writing, may be adopted by any citizen of this state, upon the recommendation of the superintendent, and with the approval of the board.

#### Sec. 110-a10. Articles of adoption.

The adoption shall be by written instrument, signed by the super-

intendent and by the person adopting, subject to the written approval of the board. Except as herein otherwise provided, such instrument shall be signed and recorded as provided by the general adoption statutes of the state, and the adoption shall create the rights and liabilities provided by said statutes.

**Sec. 110-a11. Placing child under contract.**

Any child received in said home, unless adopted, may, under written contract approved by the board, be placed by the superintendent in the custody and care of any proper person or family. Such contract shall provide for the custody, care, education, maintenance, and earnings of the child for a fixed time which shall not extend beyond the age of majority. Such contract shall be signed by the superintendent and by the person taking the child.

**Sec. 110-a12. Recovery of possession of child.**

In case of a violation of the terms of such articles of adoption, or contract, the board may cause the child to be taken from the person or persons with whom placed, and may make such other disposition of him as shall seem to be for his best interests.

**Sec. 110-a13. Recovery of child—duty of county attorney.**

In case legal proceedings are necessary to recover the possession of such child, they may be instituted and carried on in the name of the superintendent, and the county attorney of the county in which the child is placed shall, if requested by the superintendent, act as his attorney in the proceedings.

**Sec. 110-a14. Interference with child.**

It shall be unlawful for any parent or other person not a party to the placing of a child by adoption or for a term of years, to interfere in any manner with or to assume or exercise any control over such child or his earnings while such adoption or contract is in force.

**Sec. 110-a15. Counties liable.**

Each county shall be liable for sums paid by the home in support of all its children, other than the children of soldiers, to the extent of a sum equal to one-half ( $\frac{1}{2}$ ) the amount appropriated by the state for the support for each child, and when the average number of children shall be less than five hundred (500) in any month, each county shall be liable for its just proportion for each child of the amount credited to the home for that month. The sums for which each county is so liable shall be charged to the county and collected as a part of the taxes due the state, and paid by the county at the same time state taxes are paid.

**Sec. 110-a16. Maximum appropriation.**

For the support of the home there is appropriated out of any money in the state treasury not otherwise appropriated the sum of twenty-four dollars (\$24.00) per month, or so much thereof as may be necessary for each child actually supported, and, in addition, the expense of his transmission to the home. The superintendent on the first day of each

month shall certify to the board of control the average number of children supported by the state in the home for the preceding month, and the expense of transmitting children to the home during said month. Upon receipt of such certificate the said board shall certify to the auditor and treasurer of state the total amount payable by the state for the support of the home for the preceding month, and the expense of transmitting children to the home for said month, and the auditor and treasurer of state shall credit the home with said amount. The amount so credited shall be drawn from the state treasury in the manner provided for the drawing of support funds for the other institutions under the management of the state board of control.

Sec. 110-a17. Minimum appropriation.

If the average number of children shall be less than five hundred (500) in any month, the auditor and treasurer of state shall, upon the presentation of the proper certificate by the board, credit the home with the sum of twelve thousand dollars (\$12,000.00) for that month, and the sum so credited shall be drawn from the state treasury in the same manner and for the same purpose as the regular monthly per capita allowance is drawn.

(8) Amend section 140 by striking from lines 8, 10, and 12 the word "home" and insert in lieu thereof the word "institution".

(9) Amend section 161 by striking from lines 2 and 3 the words "without application, or".

(10) Amend section 178 by inserting after the word "year" in line four (4) the words "in the county jail".

(11) Amend section 186 by striking from line two (2) thereof the word "home" and inserting in lieu thereof the word "institution".

(12) Amend section 190 by adding after the word "superintendent" in line six (6) the words "who shall immediately provide for the return of said inmate to the institution".

(13) Amend by adding after section 190 the following section:

Sec. 190-a1. Aiding escape.

Whoever aids or assists an inmate to escape from any institution for the feeble minded, or knowingly conceals an inmate after such escape, shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment in the penitentiary not exceeding five (5) years.

(14) Amend section 204 by striking from lines one (1) and two (2) the words "unless otherwise provided," and inserting immediately following the word "clothing" in line three (3) the words "unless said clothing is otherwise provided,".

(15) Amend section 204-a1 by striking from line two (2) the words "unless otherwise provided,".

(16) Amend section 204-a2 by striking from line one (1) the words "As soon as possible" and insert in lieu thereof the words "At their discretion".

(17) Strike out all of section 205 and insert as section 205 the following:

**Sec. 205. Support.**

For the support of the hospital for epileptics and school for feeble minded there is appropriated out of any unappropriated money in the state treasury, or so much thereof as may be needed, the sum of twenty-one dollars (\$21.00) monthly for each inmate supported by the state, counting the actual time such person is an inmate and so supported. The superintendent on the first day of each month shall certify to the board of control the average number of inmates supported by the state in the hospital and school for the preceding month. Upon receipt of such certificate the board shall certify to the auditor and treasurer of state the total amount payable by the state for the support of the hospital and school for the preceding month and the auditor and treasurer of state shall credit to the hospital and school said amount. The amount so credited shall be drawn from the state treasury in the manner provided in chapter two (2) of this title.

(18) Amend section 206 by striking out the words and figures "four hundred fifty (450)" and substitute therefor the words and figures "six hundred (600)"; and in the same line strike out the words and figures "ten thousand dollars (\$10,000.00)" and substitute therefor the words and figures "twelve thousand dollars (\$12,000.00)".

(19) Amend section 216 by striking out all of said section and substituting the following:

**Sec. 216. Superintendent as witness.**

The superintendents and assistant physicians of said hospitals, when called as witnesses in any court, shall be paid the same mileage which other witnesses are paid and in addition thereto shall be paid a fee of twenty-five dollars (\$25.00) per day, said fee to revert to the support fund of the hospital he serves.

(20) Amend section 225 by inserting after the word "requests" in line four (4) the words "and uses", and by striking out all of said section after the period in line four (4).

(21) Amend by adding after section 227 the following section:

**Sec. 227-a1. Aiding escape.**

Whoever aids or assists an inmate to escape from any hospital for the insane, or knowingly conceals an inmate after such escape, shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment in the penitentiary not exceeding five (5) years.

(22) Amend section 252 by striking the words and figures "five dollars (\$5.00)" and inserting in lieu thereof the words and figures "six dollars (\$6.00)".

(23) Amend section 345, subsection two (2), lines eight (8) and nine (9), by striking the words and figures "thirty-five thousand (35,000)", and inserting in lieu thereof the words and figures "thirty thousand (30,000)".

Amend section 345 by inserting in subsection 2, line 12, after the figures "(\$1,200.00)" the word "each".

(24) Amend section 346 by striking from lines one (1) and two (2) thereof the words and figures "one hundred thousand (100,000)" and inserting in lieu thereof the words and figures "one hundred twenty-five thousand (125,000)".

(25) Amend section 351 by inserting before the word "is" in line seven (7) the words "If under ten years of age,".

(26) Amend section 352 by inserting in subsection one (1) after the word "who" in line two (2) the word "habitually".

(27) Amend section 365 by striking from subsection 2, in line ten (10), the word "men".

(28) Amend section 390 by inserting after the word "state" in line one (1) thereof the words "or maintained".

(29) Amend by adding after section 426 the following:

#### CHAPTER 17-A

#### IOWA JUVENILE HOME

##### Sec. 426-a1. Iowa juvenile home—objects.

The Iowa juvenile home shall be maintained for the care, custody, and education of children therein, who shall be wards of the state. Such education shall embrace instruction in the common school branches, in such other higher branches as may be practical and in such manual training, as shall best fit and develop such children and render them self-sustaining. Instruction may also be given in elementary military tactics.

##### Sec. 426-a2. Procedure for commitment.

The procedure for the commitment of such children to said home shall be the same as provided in chapter fifteen (15) of title nine (9).

##### Sec. 426-a3. Admission under voluntary applications.

Children of the class which might be admitted to said home by the juvenile court may be admitted to said home on voluntary application signed by the legal custodian of such children, and approved in writing by the board of supervisors of the county where such child has a legal residence. Such application shall be subject to the approval of the board of control and shall be in such form as it may prescribe.

##### Sec. 426-a4. Transfer to and from home.

Transfers to and from the juvenile home may be made as provided in the chapter relating to the soldiers' orphans' home.

##### Sec. 426-a5. Adoption or placing child under contract.

Children in the juvenile home may be adopted, or placed with other persons under contract, and repossessed by the board for other disposition, in the same manner and with the same effect as provided in the chapter relating to the soldiers' orphans' home. The provisions of said chapter which prohibit interference with said children while under

adoption or contract shall also apply to children committed to or received in the juvenile home.

Sec. 426-a6. Counties liable for support.

Each county shall be liable for sums paid by the home in support of all children committed or received from said county to the extent of one-half ( $\frac{1}{2}$ ) of the per capita cost per month for each child, and when the average number of children is less than two hundred ninety-two (292) in any month, each county shall be liable for its just proportion for each child of the amount credited to the home for that month. The sum for which each county is so liable shall be charged to the county, and collected as a part of the taxes due the state, and paid by the county, at the same time state taxes are paid.

Sec. 426-a7. Maximum appropriation.

For the support of the home there is appropriated out of any money in the state treasury not otherwise appropriated, or so much thereof as may be necessary, twenty-four dollars (\$24.00) monthly for each child actually supported, and, in addition, the expense of his transmission to the home. The superintendent on the first day of each month shall certify to the board of control the average number of inmates supported by the state in the home for the preceding month, and the expense of transmitting children to the home during said month. Upon receipt of such certificates said board shall certify to the auditor and treasurer of state the total amount payable by the state for the support of the home for the preceding month, and the cost of transmitting children to the home for said month, and the auditor and treasurer of state shall credit the home with said amount. The amount so credited shall be drawn from the state treasury in the manner provided for the drawing of support funds for the other institutions under the management of the state board of control.

Sec. 426-a8. Minimum appropriations.

If the average number of children shall be less than two hundred ninety-two (292) in any month, the auditor and treasurer of state shall, upon presentation of the proper certificate by the board, credit the home with seven thousand dollars (\$7,000.00) for that month, and the sum so credited shall be drawn from the state treasury in the same manner and for the same purposes as the regular monthly per capita allowance is drawn.

(30) Amend section 431 by inserting after the word "Any" in line one (1) the word "unmarried".

(31) Amend section 475 by inserting after the word "month" in line five (5) the words "so served".

(32) Amend section 486, line two (2), by inserting after the word "death" the words "or infected with venereal disease in communicable stage,".

(33) Strike sections 425 and 443 and add the following section after section 89 of the bill:

Sec. 89-a1. Aiding escapes—bringing liquor or drugs to inmates.

Any person not authorized by law, who shall bring or pass or cause to be brought into the institution for feeble-minded children, or the hospital for epileptics and school for feeble minded, or any state hospital for the insane, or the training school for boys, or the training school for girls, or the juvenile home, or the women's reformatory, or the men's reformatory, or the state penitentiary, or onto the grounds thereof, or into any inclosure, building, camp, quarry, farm, garden or other place used in connection with any such institution in which prisoners, patients or inmates are required or permitted to be, any opium, morphine, cocaine, or other narcotics, or any intoxicating liquor, or any firearms, weapons or explosives of any kind, or any rope, ladder or other instrument or device for use in making or attempting an escape, or shall in any manner aid in such an escape, or who shall knowingly conceal such inmate after escape, shall be punished by imprisonment in the penitentiary or reformatory for a term not exceeding five (5) years.

(34) Amend section 345, subsection two (2), line ten (10), by inserting after the word "and" the following words: "the court may appoint".

Amend section 345 by adding after subsection two (2) the following:

3. In counties having a population in excess of fifty thousand (50,000), a chief probation officer, at a salary of not to exceed two thousand dollars (\$2,000.00) per year, and the court may appoint not to exceed two (2) deputies at a salary of not to exceed fifteen hundred dollars (\$1,500.00) each per year.

Amend section 345 by renumbering subsection "3" as subsection "4".

(35) Amend section 399, line 3, by striking the words "with the state board of control".

Amend section 399, line 2, by inserting after the word "file" the words "with the state board of control".

(36) Amend section 480, lines 11 and 12, by striking the words "or so much thereof as may be needed," and insert in line ten (10) following the word "provided" the words "or so much thereof as may be needed".

(37) Amend House File No. 84 by striking out the title and the two lines following the enacting clause, and by substituting the following therefor:

"A bill for an act to amend, revise, and codify title nine (9), and chapters fifteen (15) and sixteen (16) of title ten (10) of the compiled code and of the supplement to said code, relating to charitable, correctional, and penal institutions, and the juvenile court."

"That title nine (9), and chapters fifteen (15) and sixteen (16) of title ten (10) of the compiled code and of the supplement to said code are amended, revised, and codified to read as follows:"

FRANK C. LAKE, *Chairman*.

Report 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. 288, a bill for an act to legalize the issuance of certain warrants of the city of Sioux City, Iowa, issued against the police equipment fund of said city and legalizing and validating said warrants as issued.

Also, that the Senate has concurred in the House amendments to Senate File No. 21, a bill for an act relating to nominations by primary elections.

Also, that the Senate has concurred in the House amendments to Senate File No. 201, a bill for an act relating to corporations for pecuniary profit.

Also, that the President has appointed as a conference committee on the part of the Senate, on Senate File No. 93, a bill for an act relating to the Iowa state college of agriculture and mechanic arts, Senators Bowman, Browne, Stoddard, and McIntosh.

Also, that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House File No. 192, a bill for an act relating to taxes in aid of railways.

Also, that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House File No. 87, a bill for an act relating to education.

Also, that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House File No. 299, a bill for an act to amend section three (3) of chapter three hundred twenty-six (326) of the acts of the fortieth general assembly, relating to the commission on land titles.

Also, that the Senate has adopted the report of the conference committee and concurred in the amendments proposed therein on House File No. 126, a bill for an act relating to the removal of obstructions from public highways and to advertising signs and billboards which obstruct the view of public highways and railway tracks.

Also, that the Senate has insisted on its amendments to House File No. 69, a bill relating to hotels, restaurants, food establishments, and cold storage plants, and requests a conference committee on the same. The President has appointed as such conference committee on the part of the Senate, Senators Romkey, Schmedika, Nelson and Olson.

Also, that the Senate has insisted on its amendments to House File No. 110, a bill for an act relating to education—school funds and bonds, and requests a conference committee. The President has appointed as such conference committee on the part of the Senate, Senators Newberry, Caldwell, Mantz and Gilchrist.

Also, that the Senate has refused to concur in the House amendments to Senate File No. 27, a bill for an act relating to the right of a

voter to vote when disabled or when absent from the polls on election day, or when engaged in the service of the government of the United States, or of this state.

Also, that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate File No. 303, a bill for an act to legalize an election held on the 21st day of January, 1924, in and for the town of Ionia, county of Chickasaw, state of Iowa, on the propositions of constructing a municipal electric light and power system and of issuing bonds in the sum of fourteen thousand dollars (\$14,000) to pay the cost thereof, and to legalize all acts and proceedings of the town council of said town in respect to said election and said bonds.

Also, 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 relating to the method of conducting elections.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 266, a bill for an act relating to jurors.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 100, a bill for an act relating to education.

L. W. AINSWORTH, *Secretary.*

#### SENATE AMENDMENTS TO HOUSE FILE NO. 266

Amend by striking from section 17, subsection 10.

Amend by striking the period (.) following the word "hereof" in the last line of section 21-a3 and by substituting a comma (,) therefor and by adding the following: "or judges or clerks of the election."

#### SENATE AMENDMENTS TO HOUSE FILE NO. 100

Amend by striking from line 5 of section 9 the words "be entitled to"; by striking the comma (,) in line 6 after the word "district" and inserting a period (.); by striking the words following to the word "if" in line 8, and by beginning the word "if" with a capital letter.

Amend by adding thereto as a new section to be inserted immediately after section 11 the following:

"Sec. 11-a1. Separate ballot.

Whenever it is proposed to extend the limits of, or add territory to, an existing independent city, town or consolidated district, the voters residing within the proposed extension or addition and outside the existing independent district, shall vote separately upon the proposition. The proposition must be approved by a majority of the voters voting thereon in each of such territories."

Amend section 15 by striking therefrom the word "central" appearing in line 4 and by inserting in lieu thereof the word "consolidated".

Amend section 19 by changing the comma (,) after the word "published" in line 9 into a period (.) and by striking therefrom the remainder of the section.

Amend section 36 by changing the word "district" in line 3 so as to read "districts".

Amend section 37 by striking therefrom the word "central" appearing in line 2 and by inserting in lieu thereof the word "consolidated".

Amend section 39 by striking from lines 1 and 2 thereof the words "and every school township maintaining a central school".

Amend section 42 by striking therefrom the word "central" appearing in line 1 and by inserting in lieu thereof the word "consolidated".

Amend section 44 by striking therefrom the words "four (4) room schools," and by inserting in lieu thereof the words "schools having four or more rooms,".

Amend by striking therefrom all of section 44-a and by inserting in lieu thereof the following:

"Sec. 44-a. State aid.

No consolidated school shall receive state aid under the last preceding section and also additional aid for maintaining a normal training course in high schools as provided in chapter five of this title. But every consolidated school may maintain a normal training course, in which case it shall receive state aid therefor in the same amount and upon the same terms, conditions and regulations as other schools which maintain such a course."

Amend section 45 by striking therefrom the following language in lines 1 and 2 thereof: "and of each school township maintaining a central school".

Amend by striking from section 47 beginning after the word "organized" in line 1 the following: "for at least two (2) years".

Amend section 47 by striking therefrom the word "central" appearing in line 2 thereof and inserting in lieu thereof the word "consolidated".

Amend section 47 by inserting following the word "land" in line 5 and before the word "into" in line 6 the words "except where a district was composed of less than four (4) government sections prior to its merger in the consolidated district the former boundaries of such district may be used".

#### SENATE MESSAGES CONSIDERED

Senate File No. 25, a bill for an act to amend, revise, and codify chapter six (6) of title four (4) of the compiled code of Iowa and of the supplement to said code, and section thirty-four hundred forty-two (3442) of the compiled code of Iowa, and sections four hundred ninety-nine-a four (499-a4) and four hundred ninety-

nine-a eleven (499-a11) of the supplement to said code, relating to the method of conducting elections.

Read first and second times and referred to committee on elections.

Senate File No. 303, a bill for an act to legalize an election held on the 21st day of January, 1924, in and for the town of Ionia, county of Chickasaw, state of Iowa, on the propositions of constructing a municipal electric light and power system and of issuing bonds in the sum of fourteen thousand dollars (\$14,000) to pay the cost thereof, and to legalize all acts and proceedings of the town council of said town in respect to said election and said bonds.

Read first and second times and referred to committee on judiciary.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that, he had on March the 19th, approved the following bills: House Files Nos. 72, 82 and 144.

#### APPOINTMENT OF CONFERENCE COMMITTEES

As a conference committee on House File No. 110, the Speaker appointed the following members on the part of the House: Children of Pottawattamie, Napier of Ringgold, Edson of Buena Vista and Carter of Hardin.

As a conference committee on Senate File No. 69, the Speaker appointed the following members on the part of the House: Robson of Greene, Hattendorf of Osceola, Wilson of Tama and Rhinehart of Dallas.

#### HOUSE FILES NOS. 211 AND 281 PLACED ON CALENDAR

Garber of Adair moved that House Files Nos. 211 and 281 and all legalizing acts now in the committee on judiciary, as well as all legalizing acts which may in the future be introduced, be excluded from the provisions of the resolution requiring bills in committees to be returned to the House today.

Forsling of Woodbury moved as a substitute for the motion by Garber of Adair that House Files Nos. 211 and 281 be placed on the calendar and that the committee on judiciary be authorized

to prepare and present to the House reports on said bills together with such amendments as the committee may deem advisable; also, that legalizing acts be excluded from the provisions of the resolution ordering them to be placed on the calendar.

Substitute motion prevailed.

On motion of Bradley of Poweshiek the House adjourned until 4:00 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### REPORTS OF COMMITTEES

Forsling 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. 179, a bill for an act to amend, revise, and codify sections three thousand six hundred thirty-three (3633), three thousand six hundred thirty-four (3634), three thousand nine hundred eight (3908), three thousand nine hundred fifty-one (3951), four thousand sixty-two (4062), four thousand sixty-three (4063), four thousand sixty-five (4065) to four thousand sixty-eight (4068), inclusive, of the compiled code of Iowa, and sections four thousand sixty-one (4061), four thousand sixty-five-a one (4065-a1) of the supplement to said code, relating to municipal 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 do pass.

L. B. FORSLING, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on municipal corporations to whom was referred Senate File No. 169, a bill for an act to amend, revise, and codify sections three thousand eight hundred thirty-five (3835), three thousand eight hundred forty-four (3844), three thousand eight hundred fifty (3850) to three thousand eight hundred sixty (3860), inclusive, three thousand eight hundred seventy-three (3873) to three thousand eight hundred seventy-seven (3877), inclusive, three thousand eight hundred seventy-nine (3879) to three thousand eight hundred eighty-eight (3888), inclusive, three thousand eight hundred ninety (3890) to three thousand eight hundred ninety-six (3896), inclusive, three thousand eight hundred ninety-eight (3898) to three thousand nine hundred two (3902), inclusive, three thousand nine hundred four (3904), three thousand nine hundred six (3906), three thousand nine hundred seven (3907), three thousand nine

hundred ten (3910), three thousand nine hundred eleven (3911), three thousand nine hundred sixteen (3916), three thousand nine hundred twenty (3920) to three thousand nine hundred twenty-five (3925), inclusive, three thousand nine hundred twenty-seven (3927), and three thousand nine hundred twenty-eight (3928) of the compiled code of Iowa, and sections three thousand eight hundred forty-nine (3849), three thousand eight hundred seventy-eight (3878), three thousand eight hundred eighty-seven-a one (3887-a1), three thousand eight hundred eighty-nine (3889), three thousand nine hundred three (3903), three thousand nine hundred twelve (3912) to three thousand nine hundred fifteen (3915), inclusive, three thousand nine hundred seventeen (3917) to three thousand nine hundred nineteen (3919), inclusive, three thousand nine hundred twenty-two-a one (3922-a1) to three thousand nine hundred twenty-two-a five (3922-a5), inclusive, and three thousand nine hundred twenty-six (3926) of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

(1) Amend section 4 by striking from line 5 the words "where located".

(2) Amend section 6 by striking from lines 6, 7, 8 and 9 the following words: "If there is no such board, the council shall put in said connections and the official in charge of the work shall certify the cost thereof to the council."

Also by striking from line 10 the words "in either case".

(3) Amend section 13 by adding after the period (.) in line 11 the following: "In cities of five thousand (5000) or less, no resolution providing for the improvement of streets by paving shall be passed except by unanimous vote of the entire council, if, at the time set for its consideration, a remonstrance shall have been filed with the council signed by owners of seventy-five per cent (75%) of the property subject to assessment."

(4) Amend section 14 by adding at the end thereof the following: "The cost of making the plat and schedule required to be filed with the resolution of necessity shall be paid from the improvement fund."

(5) Amend section 15 by striking from line 7 the word "corporation" and inserting in lieu thereof the word "city".

(6) Amend section 19 by inserting the word "for" in line 2 between the words "and" and "sewers".

(7) Amend section 23 by inserting in line 10 the word "a" before the word "special".

(8) Amend section 24 by inserting the following after the word "streets" in line 3: "may be assessed against privately owned property".

Also by striking the word "and" from line 3.

Also amend section 24 by striking therefrom everything appearing after the period (.) in line 11.

(9) Amend section 30 by striking therefrom the word and figures "ten (10)" and inserting in lieu thereof the word and figures "thirty (30)".

Also by striking the word and figures "twenty (20)" and inserting in lieu thereof the word and figures "thirty (30)".

Also amend by striking all of said section after the period (.) in line 10.

(10) Amend section 60 by inserting in line 1 after the word "maintained" the words "by the city".

(11) Amend by adding the following as section 69:

"Sec. 69. Right to installment after appeal.

Any person who has appealed from a special assessment may, within twenty (20) days after final determination of such appeal, pay an amount equal to the installments which would have matured under the revised assessment together with interest on the entire revised assessment from the date of the original levy and shall be entitled to pay the remaining installments as provided in section forty-one (41) of this chapter."

L. B. FORSLING, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on municipal corporations to whom was referred House File No. 182, a bill for an act to amend, revise, and codify sections four thousand two hundred ninety-nine (4299), four thousand three hundred six (4306), four thousand three hundred ten (4310), four thousand three hundred eighteen (4318), four thousand three hundred twenty (4320) to four thousand three hundred twenty-two (4322), inclusive, four thousand three hundred twenty-four (4324), four thousand three hundred twenty-five (4325), four thousand three hundred twenty-seven (4327), four thousand three hundred thirty (4330), four thousand three hundred thirty-six (4336), four thousand three hundred forty-five (4345), four thousand three hundred forty-six (4346), four thousand three hundred forty-eight (4348) to four thousand three hundred fifty (4350), inclusive, four thousand three hundred fifty-two (4352) to four thousand three hundred fifty-five (4355), inclusive, four thousand three hundred fifty-seven (4357), four thousand three hundred fifty-nine (4359) to four thousand three hundred sixty-seven (4367), inclusive, four thousand three hundred sixty-nine (4369), four thousand three hundred seventy-one (4371), four thousand three hundred seventy-nine (4379) to four thousand three hundred eighty-three (4383), inclusive, four thousand three hundred ninety-two (4392) to four thousand three hundred ninety-five (4395), inclusive, four thousand four hundred (4400) to four thousand four hundred two (4402), inclusive, four thousand four hundred four (4404), four thousand four hundred six (4406) to four thousand four hundred eight (4408), inclusive, four thousand four hundred ten (4410), four thousand four hundred twelve (4412) to four thousand four hundred fourteen (4414), inclusive, four thousand four hundred seventeen (4417), four thousand four hundred forty (4440) to four thousand four hundred forty-four (4444), inclusive, of the compiled code of Iowa, and sections four thousand three hundred twenty three (4323), four thousand three hundred twenty-

eight (4328), four thousand three hundred twenty-nine (4329), four thousand three hundred forty-seven (4347), four thousand three hundred fifty-one (4351), four thousand three hundred fifty-six (4356), four thousand three hundred fifty-eight (4358), four thousand three hundred seventy-eight (4378), four thousand three hundred ninety-four-a one (4394-a1), four thousand four hundred three (4403), four thousand four hundred nine (4409), four thousand four hundred forty-a one (4440-a1), four thousand four hundred sixty-eight (4468), and four thousand four hundred sixty-eight-a one (4468-a1) of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

(1) Amend section 3, lines 1 and 2, by inserting after the word "compensation" the words "and be subject to the same regulations and restrictions".

(2) Amend by inserting after section 5 a new section as follows:

"Sec. 5-a1. Expense of treasurer's bond.

The law as provided for cities organized under the general law shall apply to the expense of procuring the bond for the city treasurer in special charter cities."

(3) Amend by striking all of section 6 and inserting in lieu thereof the following:

"Ordinances and resolutions shall be adopted, signed, recorded, published, evidenced, and be subject to veto by the mayor as in cities organized under the general law."

(4) Immediately after section 6 amend by inserting the following section:

"Sec. 6-a1. Fines recovered.

Fines and penalties may in all cases be recovered by action before a justice of the peace or other court of competent jurisdiction, and in the name of the proper municipal corporation, for its use. In any such action, where pleading is necessary, it shall be sufficient to declare generally for the amount claimed to be due in respect to the violation of the ordinance, referring to its title and the date of its adoption or passage, and showing, as near as may be, the facts of the alleged violation."

(5) Amend section 10, line 1, section 11, line 1, section 12, line 1, and section 13, line 1, by striking out the words "the establishment and maintenance of" where same appear in said sections.

(6) Amend by striking out all of sections 15 and 16.

(7) Amend by striking out the subenacting clause immediately preceding section 25.

Amend by striking out all of section 25.

(8) Amend by striking section 26 and inserting in lieu thereof the following:

"Chapter twenty-three (23) of this title is applicable to special charter cities except as otherwise specifically provided in this chapter."

(9) Amend section 33, line 2, by inserting after the word "plants" the words "and acquire real estate and easements therefor."

(10) Amend by striking out of the subenacting clause immediately preceding section 34 the following: "and section four thousand four hundred three (4403) of the supplement to said code".

(11) Amend section 34 by striking the period (.) at the end of the section and inserting in lieu thereof the following: "except as otherwise specifically provided in this chapter."

(12) Amend by striking out of the title, where same appears, the following: "sixty-seven (4367), inclusive," and inserting in lieu the following: "sixty-one (4361), inclusive, four thousand three hundred sixty-four (4364), four thousand three hundred sixty-five (4365),".

Amend by striking out of the title, where same appears, the following: "four thousand three hundred seventy-one (4371),".

Amend by striking out of the title, where same appears, the following: "four thousand four hundred three (4403),".

L. B. FORSLING, *Chairman.*

Report adopted.

Schirmer of Jackson, from the committee on conservation of resources, submitted the following report:

MR. SPEAKER: Your committee on conservation of resources to whom was referred House File No. 186, a bill for an act to amend, revise and codify chapters three (3) and four (4) of title fifteen (15) of the compiled code of Iowa, relating to mill dams, races and water power improvements, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the following amendments without recommendation:

Amend House File No. 186 by striking out all of said bill after the enacting clause and substituting in lieu thereof the following:

"Section 1. No dam shall be constructed, maintained or operated in this state in any navigable or meandered stream for any purpose, or in any other stream for manufacturing or power purposes, nor shall any water be taken from such streams for industrial purposes, unless a permit has been granted by the executive council to the person, firm, corporation or municipality constructing, maintaining or operating the same.

Sec. 2. Any person, firm, corporation or municipality making application for a permit to construct, maintain or operate a dam in any of the waters, including canals, raceways and other constructions necessary or useful in connection with the development and utilization of the water or water power, shall file with the executive council a written application, which shall contain the following information:

(1) The name of the navigable, meandered or other stream in or across which a dam is maintained or it is proposed to construct a dam or other obstruction, and a description of the site for such dam, including the name or names of the riparian owners of the site.

(2) The purpose for which the dam is maintained or for which it is proposed to maintain the same, including the use to which the water is to be put.

(3) A general description of the dam, raceways, canals and other constructions, including the specifications as to the material and plan of construction and a general description of all booms, piers, and other protection works which are constructed in connection therewith, or which it is proposed to erect in connection therewith.

(4) The approximate amount of hydraulic power that the dam is capable of developing and the amount of power to be used.

(5) A map or blue print on a scale of not less than four inches to the mile, showing the lands that are or may be affected by the construction, operation or maintenance of the dam, and the ownership of each tract of land within the affected area.

(6) Such additional information as may be required by the executive council.

Sec. 3. When any application for a permit to construct, maintain or operate a dam from and after the passage of this act is received the executive council shall fix a time for a hearing, and it shall give notice of the time and place of such hearing by publication once each week for two successive weeks in at least one newspaper in each county in which riparian lands will be affected by the dam and at the time fixed for such hearing or at any adjournment thereof, the council shall take evidence offered by the applicant and any other person, either in support of or opposition to the proposed construction. If it shall appear to the council that the construction, operation or maintenance of the dam will not materially obstruct existing navigation or materially affect other public rights, will not endanger life or public health, and any water taken from the stream in connection with the project is returned thereto at the nearest practicable place without being materially diminished in quantity or polluted or rendered deleterious to fish life, it shall grant the permit, upon such terms and conditions as it may prescribe; provided, however, that no permit shall be granted for the construction or operation of a dam where the water is to be used for manufacturing purposes, except to develop power, until a certificate of the state board of health has been filed with the council showing its approval of the use of the water for the purposes specified in the application.

Sec. 4. When it is proposed to use the water for manufacturing purposes, except to develop power, or for condensation purposes, application must be made to the state board of health, accompanied by a description of the proposed use of the water and what, if any, substances are to be deposited in such water and chemical changes made in the same and such other information as the state board of health may require to enable it to determine the advisability of the issuance of such certificate. If the board of health is satisfied that the use of the water in any such project will not cause a pollution of the same or render it materially unwholesome or impure, or deleterious to fish life, it may issue a certificate, and if it is not so satisfied, it shall refuse to issue same.

Sec. 5. Every person, firm or corporation, excepting a municipality, to whom a permit is granted to construct or to maintain and operate a dam already constructed in or across any stream for the purpose herein specified, shall pay to the executive council a permit fee of one hundred dollars (\$100.00) and shall pay an annual inspection fee, to be fixed by the executive council, on or before the first day of January, 1925, and annually thereafter, but in no case shall the annual inspection fee be less than twenty-five dollars (\$25.00). All permit fees and inspection fees shall be paid in to the general fund of the state treasury.

Sec. 6. The executive council shall investigate methods of construction, reconstruction, operation, maintenance and equipment of dams, so as to determine the best methods to conserve and protect as far as possible, all public and riparian rights in the waters of the state and so as to protect the life, health and property of the general public and the method of construction, operation, maintenance and equipment of any and all dams in such water, shall be subject to the approval of the executive council and such council or any member, agent or employe thereof shall at all times be accorded full access to all parts of any dam and its appurtenances, being constructed, operated or maintained in such waters and it shall be the duty of the council to require that all the existing statutes of the state, including the provisions of this act, with reference to the construction of dams, shall be enforced.

Sec. 7. The construction, maintenance or operation of a dam for the purpose specified herein without a permit first being issued, as in this act provided, shall constitute a misdemeanor and shall be punishable by a fine of not less than one hundred or more than five hundred dollars. If any dam is constructed, operated or maintained without the provisions of this act having been first complied with, including the payment of the permit fee and the annual inspection fee, the permit fee and the inspection fee may be recovered in an action brought in the name of the state and in addition to the recovery of the amount due, there shall be collected a penalty of one thousand dollars (\$1000.00).

Sec. 8. If any dam for which a permit has been issued becomes owned, leased, trusteeed, possessed or controlled in such manner as that it forms a part of any unlawful combination or trust, or forms the subject or part of the subject of any contract or agreement to limit the output of any hydraulic or hydroelectric power derived therefrom for the purpose of price fixing as to such output, the state may take possession thereof by receivership proceedings instituted by the council and such proceedings shall be conducted for the purpose of disposing of said property for lawful use and the proceeds shall be turned over to the persons found by the court to be entitled thereto after the payment of all expenses of the receivership.

Sec. 9. If any dam is constructed, maintained or operated for any of the purposes specified herein, in waters of this state in violation of any of the provisions of this act or in violation of any provisions of the law, the state may, in addition to the remedies herein prescribed, have such dam abated as a nuisance.

Sec. 10. Any person, firm, corporation or municipality owning land on one or both sides of a water course, desiring to construct or heighten any

dam in such water course or to construct or enlarge a raceway, canal or other construction necessary for the development or utilization of the water or water power for any of the purposes specified in this act therefrom for the purpose of propelling any mill or machinery or developing any power by the use of the water, and to whom a permit has been granted as in this act provided, may file in the office of the clerk of the district court of the county in which such dam is, or is to be erected or heightened, a petition designating himself as plaintiff and the owners of lands affected or that will be affected as defendants, and describing with reasonable certainty the locality where such dam is to be erected or improved and also of the lands that will be overflowed or otherwise affected thereby.

Sec. 11. The clerk shall thereupon issue an order, with a copy of the petition attached, directed to the sheriff, commanding him to summon a jury of twelve disinterested electors of his county to meet on a day fixed therein, and upon the lands described, which order, including the copy of the petition, shall be served on the defendants in the same manner and for the same length of time previous to the day fixed in the order as is required for the service of original notices. When service is made upon a minor or insane person having no guardian, the clerk at the time of issuing the order shall, by indorsement made thereon, appoint a suitable person to make defense for him. Where the owner of any land affected is a nonresident of the state, service shall be made of the notice by publication in a newspaper in the county once each week for three successive weeks.

Sec. 12. If any of the lands are situated in a different county than that in which the petition is required to be filed, the proceedings shall apply thereto to the same extent as if such lands were situated in the county where it is filed.

Sec. 13. The jury shall be sworn to, impartially and to the best of their skill and judgment, view the lands described in the petition, and ascertain and appraise the damages, each of the defendants will sustain by reason of such lands being overflowed or otherwise injuriously affected by the dam or raceway or heightening or enlarging the same. They may, in addition to examining the premises, examine witnesses, and shall determine the amount of damages to which each of the defendants are, in their judgment, entitled, by reason of the construction or improvement of the dam or raceway and shall report their findings in writing, attaching the same to the order and returning it to the sheriff. All costs and fees in connection with the assessment of damages under this act shall be the same as in condemnation cases and shall be paid by the plaintiff.

Sec. 14. Either party may appeal from such assessment to the district court within thirty days after the assessment is made and such appeal and all further proceedings in connection with such matter, whether as to an appeal or the payment of damages and costs, and all other matters connected with the proceedings, shall be the same as provided by law for assessment of damages in taking property for works of internal improvement.

Sec. 15. Where the water backed up by any dam belonging to any mill or machinery is about to break through or over the banks of the stream or raceway, or to wash a channel, so as to turn the water of such stream or raceway, or any part thereof, out of its ordinary channel, whereby such mill or machinery will be materially injured or affected, the owner or occupant of such mill or machinery, if he does not own such banks or the land lying contiguous thereto, may, if necessary, enter thereon, and erect and keep in repair such embankments and other works as may be necessary to prevent such water from breaking through, or over the banks, or washing a channel as aforesaid; such owner or occupier committing thereon no unnecessary waste or damage, and being liable to pay all damages which the owner of the lands may actually sustain by reason thereof.

Sec. 16. If any person shall injure, destroy or remove any such embankment or other works, the owner or occupier of such mill or machinery may recover of such person all damages he may sustain by reason thereof.

Sec. 17. Any person, owning and using a water power for the purpose of propelling machinery shall have the right to acquire, maintain and utilize the fall below such power for the purpose of improving the same, in like manner and to the same extent as provided in this chapter for the erection or heightening of mill dams. After such right has been acquired, the fall shall be considered part and parcel of said water power or privilege, and the deepening or excavating of the stream, tail or raceway, as herein contemplated, shall in no way affect any rights relating to such water power acquired by the owner thereof prior to such change.

Sec. 18. If the person to whom a permit is issued under the provisions of this act does not begin the construction or the improvement of the dam or raceway within one (1) year from the date of the granting of the permit, his permit may be revoked by the executive council and if any permit holder does not finish and have in operation the plant for which the dam is constructed within three (3) years after the granting of the permit, unless for good cause shown the council has extended the time for completion, such permit shall be forfeited.

Sec. 19. No exclusive permit for the right to construct, operate or maintain a dam in any of the waters herein specified shall be granted by the executive council, nor shall any permit granted or rights acquired be perpetual, but they shall be subject to restriction, cancellation and regulation by legislative action, and subject to all the provisions of this act.

Sec. 20. All applications for a permit to construct a dam pending in the district courts of this state at the time of the passage of this act shall be heard and determined by the district court of the county in which same is pending under the laws of Iowa at the time of the making of the application to the district court, and where a permit has, prior to the passage of this act, been granted by the district court of any county, the applicant shall in addition to the making of the application

in the form provided in section two (2) hereof file a transcript of the proceedings of the district court granting the said permit with said application and thereupon a permit shall be issued to the applicant without further proceedings.

Sec. 21. The owner of a dam existing at the time of the taking effect of this act shall make application for a permit, which application shall be accompanied by such proofs and data as may be required by the executive council. Upon receipt of such application with proofs and data as required, the executive council shall grant a permit for the maintenance and operation of said dam as a matter of course. The owner of such dam shall, however, be subject to all of the regulatory provisions of this act.

Sec. 22. Whenever the erection of any such dam will affect state-owned lands, the applicant shall as a condition precedent secure a permit from the board, commission or other official body charged with jurisdiction over and control of said lands.

W. F. SCHIRMER, *Chairman.*

Report adopted.

Hauge of Polk, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 290, a bill for an act to provide to pay the expenses of the Iowa child welfare commission appointed by the Governor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

A. O. HAUGE, *Chairman.*

Passed on file.

#### MINORITY REPORT

We, the minority of your committee on appropriations to whom was referred Senate File No. 290, beg leave to dissent from the opinion of the majority and recommend that the same do pass.

ALFRED WILLIAMS  
W. STRIPPEL  
E. J. COLE  
W. F. SCHIRMER  
E. M. LICHTY  
RAY YENTER  
T. B. STOCK

Passed on file.

Garber of Adair, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 302, a bill for an act to legalize the corporate acts and proceedings of the St. Anthony Savings Bank of St. Anthony, Iowa,

and to authorize the renewal of the period of corporate existence of said 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.

R. O. GARBER, *Acting Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 303, a bill for an act to legalize an election held on the 21st day of January, 1924, in and for the town of Ionia, county of Chickasaw, state of Iowa, on the propositions of constructing a municipal electric light and power system and of issuing bonds in the sum of fourteen thousand dollars (\$14,000) to pay the cost thereof, and to legalize all acts and proceedings of the town council of said town in respect to said election of said 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.

R. O. GARBER, *Acting Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 299, a bill for an act legalizing the transfer of certain funds by the county treasurer of Appanoose 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.

R. O. GARBER, *Acting Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 301, a bill for an act to legalize the action of the board of directors of the Independent School District of Toledo, Tama county, Iowa, and the treasurer thereof in the transfer of certain funds from the general fund to the school house fund of said 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 do pass.

R. O. GARBER, *Acting Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 304, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Black Hawk 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.

R. O. GARBER, *Acting Chairman.*

Report adopted.

Yenter of Johnson, from the committee on military affairs, submitted the following report:

MR. SPEAKER: Your committee on military affairs to whom was referred Senate File No. 19, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-eight (3348) to thirty-three hundred fifty-one (3351), inclusive, thirty-three hundred fifty-three (3353), thirty-seven hundred sixty-five (3765), thirty-seven hundred sixty-eight (3768), and thirty-seven hundred seventy (3770) of the compiled code of Iowa, and sections thirty-three hundred fifty-two (3352), thirty-seven hundred sixty-seven (3767), and thirty-seven hundred sixty-nine (3769) of the supplement to said code, relating to memorial halls and monuments for soldiers, sailors, and marines, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

(1) Amend section 2<sup>a</sup> by striking all of subsections 1 and 2, and inserting in lieu thereof the following:

1. When it is proposed to erect the same at the expense of the county, be signed by ten per cent (10%) of the qualified electors thereof as shown by the poll list in the last preceding state election, or by a majority of the members of the Grand Army of the Republic, the Spanish-American war veterans' association and the American Legion of the county.

2. When it is proposed to erect the same at the expense of a city or town, be signed by ten per cent (10%) of the qualified electors thereof as shown by the poll list in the last preceding regular municipal election.

(2) Amend section 5, line 6, by inserting following the word "internal" the word "public".

(3) Amend section 9 by striking the same and inserting in lieu thereof the following:

"Sec. 9. Commissioners appointed—vacancies.

When the proposition to erect any such building or monument has been carried by a majority vote, the board of supervisors or the city or town council, as the case may be, shall appoint a commission consisting of five (5) members, in the manner and with the qualifications hereinafter provided, which shall have charge and supervision of the erection of said building or monument, and when erected, the management and control thereof. The term of office of each member shall be three (3) years, and any vacancies occurring in the membership shall be filled in the same manner as the original appointment."

(4) Amend by striking all of section 10 and inserting in lieu thereof the following:

Sec. 10. Qualifications—method of appointing.

Each such commissioner shall be an honorably discharged soldier, sailor, or marine of the United States, selected in the following manner: Within sixty (60) days after the election, each post of the Grand Army of the Republic, Spanish-American war veterans, and the American Legion, in the county, city or town, as the case may be, shall appoint three (3) delegates who shall, within ninety (90) days after such election, meet in convention in the county, city or town, as the case may be, and by ballot select five (5) commissioners, whose names shall be forthwith furnished to the board of supervisors, or the city or town council, as the case may be, whereupon said board of supervisors, city or town council shall by resolution appoint them as such commissioners.

Sec. 10-a1. Method when one or more posts do not exist.

In case no post of any one of said associations is maintained in the county, city or town, as the case may be, then those which do exist shall proceed in the manner above provided and elect said commissioners.

Sec. 10-a2. Method when any post fails to act.

In case any post which does exist fails to send delegates to said convention, then the delegates which do attend shall proceed as above indicated and elect said commissioners.

Sec. 10-a3. Method when posts do not act.

In case no convention of delegates from said posts meets and elects said commissioners, then the board of supervisors of the county, or the city or town council, as the case may be, shall, at the expiration of ninety (90) days after the election to erect a building or monument, select and appoint five (5) commissioners.

Sec. 10-a4. Selection of successors.

Not less than sixty (60) days before the expiration of the term of office of said commissioners, their successors in office shall be selected in the manner above provided, but if no selection shall have been made in said manner at the expiration of said term of office, then the board of supervisors, or the city or town council, as the case may be, shall appoint such successors.

Sec. 10-a5. Ex officio member of commission.

In case any such memorial hall or building shall be a city or town hall, coliseum or auditorium, the mayor of such city or town may be an ex officio member of the commission heretofore provided for, in which case there shall be selected but four (4) commissioners as otherwise provided, and such four, together with the mayor, shall constitute a commission of five.

(5) Amend section 13, line 2, by inserting following the word "available" the words "so far as practical".

Further amend section 13 by striking all of subsection 3 and inserting in lieu thereof the following:

"3. County, town or city hall, offices for any county or municipal pur-

pose, community house, recreation center, memorial hospital and municipal coliseum or auditorium."

RAY YENTER, *Chairman.*

### Report adopted.

Bradley of Poweshiek, 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. 283, a bill for an act to amend, revise and codify sections nine hundred twenty (920) to nine hundred fifty-one (951), inclusive, and nine hundred eighty (980) of the compiled code of Iowa, relating to the sale and transportation of intoxicating liquors under 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 be amended as follows, and when so amended the bill do pass:

(1) Amend by striking from the second and third lines of the title the following: "and nine hundred eighty (980)".

(2) Amend section 2, subsection 4, by inserting immediately following the word "pharmacist" the following: "and is operating and for the last six months has lawfully operated a regular prescription pharmacy or drug store in the town, city or township in which he proposes to engage in the business under the permit applied for and that he owns not less than one-half interest in said pharmacy or drug store".

Amend section 2 by striking out subsection six (6).

Amend section 2, subsection 8, by striking out the period (.) after the word "amusement" in line 19 and insert a comma (,) and also the following words: "nor are any of said named businesses located in his said place of business or directly connected therewith."

Amend section 2, subsection 9, by striking out the period (.) after the word "beverage" in line 21 and insert a comma (,) and also insert the following: "and that he will not, while holding a permit, employ or retain in his employment any person in his said business who is known to him to be so addicted."

(3) Amend section 12 by renumbering the lines to include the Senate amendment and insert after the word "who" in line 8 the words "has been or". Also strike from line 13 as renumbered the word "further".

Amend section 12 by adding after the word "violation," in line 11 as renumbered the following: "has surrendered or hereafter".

(4) Amend section 20, line 3, by inserting immediately after the word "time" the following: ", not exceeding five (5) years,".

(5) Amend by striking out section 21 and insert the following in lieu thereof:

"On and after January first, nineteen hundred twenty-five (1925), each permit holder under this chapter shall, on the first day of January, April, July and October of each year, pay into the county treasury, as a fee for the granting of such permit, all proceeds of all sales of intoxi-

cating liquors in excess of two hundred per cent (200%) of the wholesale price of such liquors."

(6) Amend by adding the following as section 21-a1:

"The pharmacy examiners shall from time to time fix the fair and reasonable wholesale price of intoxicating liquors for all points in this state and furnish such price list to permit holders. The fixing of said prices shall be for the sole purpose of furnishing a basis for the computation of said fee."

(7) Amend section 22 by striking out subsection 1 and insert in lieu thereof the following:

"Only spirituous and vinous liquor, the sale of which has been authorized by federal statutes or regulations and upon which the federal internal revenue tax has been paid, shall be sold."

Amend section 22, line 7, by inserting after the word "engaged" the words "in this state".

Amend section 22, subsection 3, by striking the words and figures "one-fourth ( $\frac{1}{4}$ )" in line twelve (12) and insert in lieu thereof the words and figures "one-eighth ( $\frac{1}{8}$ )". Also by striking the words and figures "one-half ( $\frac{1}{2}$ )" in line 14 and insert in lieu thereof the words and figures "one-fourth ( $\frac{1}{4}$ )".

(8) Amend by adding after section 22 the following sections:

"Sec. 22-a1. Request.

Before selling or delivering any intoxicating liquors, a written request therefor must, after being fully, accurately, and legibly filled out in ink, in the presence of the applicant, and by the person making the sale, be signed by the applicant in his true name, and attested by the holder of the permit.

Sec. 22-a2. Form.

Said written requests shall be in the following form:

(Official Form ..... Series .....)

CERTIFIED REQUEST OF PURCHASERS

No....., Iowa, .....19.....

To.....Reg. Phar. No.....

I hereby make request for the purchase of the following intoxicating liquors:

AMOUNT

KIND

Stub	AMOUNT	KIND
No. ....	My true name is.....	I am not
....., 19.....	(or town of .....)	a minor, and reside in .....township
Purchaser .....	..... at No. ....	in the county of....., state of.....
Address .....	.....	The actual purpose for
Purchase .....	which this request is made is to obtain said	liquor for ....., residing at
For Whom .....	No. ...., township.....	
Address .....	(or town of.....), county of.....	
Certifier .....	state of ....., who is a member of	
Address .....		

my immediate family, (or a patient unable, because of illness, to call for the same) and the same is desired for medicinal use and is to fill a prescription issued to.....  
 by Dr. ...., who offices at No. ...., township or town of....., .....county, state of....., and the same was issued to me in strict compliance with federal statutes and not in evasion thereof, and neither myself nor the said.....  
 habitually use intoxicating liquors as a beverage, nor do we intend to use the above named liquor for that purpose.

.....  
 (Signature of purchaser)

(If the applicant is unknown to the permit holder, the blank below shall also be filled out and signed by a witness.)

I, ....., hereby certify that I am acquainted with ....., the applicant for the purchase of the foregoing described liquors and the said..... is not a minor and is not in the habit of using intoxicating liquors as a beverage, and is worthy of credit as to the truthfulness of the statements in the foregoing request and my residence is No. .... street, state of .....

.....  
 (Signature of Certifier)

Attested by .....

Registered Pharmacist No. ....

#### Sec. 22-a3. Furnishing of blanks.

The blanks for such requests shall, with proper stubs, in all cases, be printed in book form and shall be furnished to the permit holder at cost by the county auditor of the county in which such permit is in force, and shall contain the facsimile signature of the county auditor; both stub and request shall be numbered consecutively.

#### Sec. 22-a4. Preservation and inspection.

The permit holder shall preserve the stub in book form and shall keep them at all times, subject to the inspection of the pharmacy examiners, the county attorney, any grand jury, peace officer, or justice of the peace in the county in which the permit is in force.

#### Sec. 22-a5. Duty to refuse request.

The request shall be refused unless the permit holder has reason to believe the statements to be true, and in no case granted unless the per-

mit holder filling it, personally knows the person applying is not a minor, intoxicated nor in the habit of using intoxicating liquors as a beverage.

Sec. 22-a6. Identification required.

If the applicant is not so personally known, before filling the order or delivering the liquor, the permit holder shall require identification and the statement, in writing, of a reliable and trustworthy person, of good character and habit, known personally to him, that the applicant is not a minor nor in the habit of using intoxicating liquors as a beverage and is worthy of credit as to the truthfulness of the statements in the application. Said statement so made shall be legibly signed by the witness in his own name, stating his address correctly.

Sec. 22-a7. Penalties.

If any person shall make any false or fictitious signature, or sign any name other than his own, to any request for the purchase of intoxicating liquors, as heretofore provided, or as may be hereinafter provided, or to any other paper required to be signed, or make any false statement in any paper or application or request, signed to procure liquors, he shall be punished by a fine of not less than twenty dollars (\$20.00), nor more than one hundred dollars (\$100.00) and costs of prosecution, and shall be committed until said fine and costs are paid, or shall be imprisoned not less than ten (10) nor more than thirty (30) days."

(9) Amend section 25 by striking out all senate amendments and insert the following in lieu thereof:

Sec. 25-a1. Prescriptions prohibited.

No physician shall issue a prescription for vinous or spirituous liquors for other than medical purposes, or in excess of the amount reasonably necessary for such purposes or in excess of the quantity heretofore specified nor shall he issue or deliver such prescription to a person when he has reasonable grounds for believing that such person will use the liquors obtained thereunder for beverage purposes.

Sec. 25-a2. Record of prescriptions.

Every physician shall keep, in his own handwriting and in his office, a permanent, legibly written, record in ink of every prescription for intoxicating liquors issued by him. Said record shall be alphabetically arranged under the name of the patient and shall show:

1. The date of the prescription.
2. The amount and kind of liquors prescribed.
3. The name of the patient and his postoffice address, including street number, if any.
4. The name of the person to whom the prescription was delivered and his postoffice address, including street number, if any.
5. The purpose or ailment for which the liquors are prescribed.
6. The directions for the use of said liquors, including the amount and frequency of the dose.

Sec. 25-a3. Reports filed.

Every physician shall, on or before the fifteenth day of January, March, May, July, September, and November, each year, file with the county auditor of the county of his residence an exact duplicate of the record provided for in the last preceding section. Each filing shall cover the two calendar months preceding the filing.

**Sec. 25-a4. Oath.**

Said physician shall securely attach to each duplicate record so filed by him his oath in the following form:

"I, ..... do say on oath that the hereto attached record is an exact duplicate of the record of prescriptions kept by me in my office for the months of ..... and ....., 19.....; that said record has been accurately prepared and kept by me and shows every prescription for intoxicating liquors issued and delivered by me during said months; that I have in no case issued a prescription for such liquors for other than medical purposes or for a quantity of such liquors in excess of the amount reasonably necessary for said purposes, or for a quantity of such liquors in excess of the quantity permitted by state or federal statutes and regulations; nor have I issued such prescription to a person when I had reason to believe that such person would use the liquors obtained thereunder for beverage purposes."

**Sec. 25-a5. Penalty—suspension.**

Upon conviction for a violation of any provision of the four preceding sections, the court, as a part of the judgment, shall order the certificate of license of such physician to practice his profession suspended for a period of not less than one (1) year nor more than five (5) years.

**Sec. 25-a6. Effect of suspension.**

During the period of such suspension such physician shall be wholly barred from the practice of his profession in this state, and the clerk of said court shall forthwith notify the state department of health of such suspension and the period thereof; any physician practicing or attempting to practice his profession during the interim of such a suspension shall be guilty of a misdemeanor.

**Sec. 25-a7. Conviction in federal courts.**

When a physician or pharmacist, licensed under the laws of this state, is convicted in any federal court of this state of a violation of the federal statutes or regulations relating to intoxicating liquors, or to narcotics, and said judgment has become final, the county attorney of the county where said physician or pharmacist resides shall forthwith file in the office of the clerk of the district court of said county a duly certified copy of said judgment and thereupon said district court, or a judge thereof, shall, on such notice to the defendant in said judgment as the court or judge may prescribe, enter an order suspending for a period of not less than one (1) year nor more than five (5) years the license of such physician or pharmacist to practice his profession in this state. In such proceeding the county attorney shall appear on behalf of the state.



said liquors were, on the ..... day of ....., 19....., delivered in the following manner, to-wit:

.....

.....

Licensed pharmacist.

No.....

(19) Amend by striking section 59 from the bill.

(20) Amend by striking section 60 from the bill and insert the following in lieu thereof:

"Sec. 60. Requests—preparation—delivery.

Requests for intoxicating liquors may be made out and signed by the applicant at his place of business and forwarded to the permit holder of whom request is made, and the permit holder may, by his own conveyance, personally deliver said liquors to the applicant, or cause such delivery to be made by a common carrier.

Sec. 60-a1. Optional delivery.

The applicant may personally present said written request for the purchase of such liquors to the permit holder and the permit holder may deliver said liquors directly to the applicant.

Sec. 60-a2. Reports.

The permit holder in making the reports required herein shall specify the manner in which each sale of liquors was delivered, to-wit: whether a delivery was made by his own conveyance, or by a common carrier, or by direct delivery to the applicant.

Sec. 60-a3. Special requirement.

No sale shall be made on a request unless such request is filled out with pen and ink."

(21) Amend by striking section 64 from the bill and in lieu thereof insert the following:

"Sec. 64. Transportation.

Common carriers shall transport the liquors purchased or sold by a wholesale drug corporation under the authority of the permit herein provided, whether such shipment be interstate or intrastate:

1. When the consignor files with the agent of the carrier, at the point of origin, an affidavit stating:

(a) That the consignee is a person, firm or corporation who has a legal right to make such purchase; (b) that the liquors are consigned to the station nearest to the consignee's place of business; and (c) that the consignor and consignee are in all respects acting lawfully in the transportation of said liquor.

2. When bill of lading is made out and signed as heretofore provided.

3. When carrier is furnished with copy of the permit held by the wholesale drug corporation and said copy is duly certified to be correct by the clerk of the court issuing the permit.

Sec. 64-a1. Affiant.

If the consignor is a corporation, the affidavit provided for in the last preceding section shall be made by the pharmacist having charge of the sales of such liquors or by some managing officer of the corporation."

(22) Amend by inserting immediately following section 65 the following:

"Sec. 65-a1. Undelivered shipments.

Should a common carrier be unable to deliver a shipment of intoxicating liquors within fifteen (15) days after such shipment has reached its destination, such carrier may make application to the district court or to a judge thereof of the county in which the liquors are being held, for an order for the delivery of said liquors by said carrier to the sheriff and for an order for the destruction thereof.

Sec. 65-a2. Effect of delivery.

A delivery of said liquors to the sheriff under an order of the court shall discharge the carriers from all civil liability for said liquors.

Sec. 65-a3. Order.

The court shall summarily hear said application and, upon proof of the truth thereof, shall enter an order for the delivery of said liquors to the sheriff and for the destruction of said liquors."

(23) Amend by adding immediately following section 70 the following:

"Sec. 70-a1. Return of requests.

On or before the fifteenth day of January, March, May, July, September and November of each year, each permit holder other than a wholesale druggist shall, in addition to all other requirements of this chapter, make full returns to the county auditor, under oath, of all requests filled by him and his clerks during the two preceding months.

Sec. 70-a2. Oath.

The oath provided for in the last preceding section shall be in the following form:

I, . . . . ., being duly sworn, on oath state that the requests for liquors herewith returned are all that were received and filled at my pharmacy during the months of . . . ., A. D. . . .; that I have carefully preserved the same, and that they were filled up, signed and attested at the date shown hereon, as provided by law; that said requests were filled by delivering the quantity and kinds of liquors required, and that no liquors have been sold or dispensed under color of my permit during said months except as shown by the requests herewith returned, and that I have faithfully observed and complied with the conditions of my bond and oath

taken by me thereon indorsed, and with all the laws relating to any duties in the premises."

(24) Amend by inserting the following immediately following section 78:

**Sec. 78-a1. Proof of right to receive liquors.**

The consignee of intoxicating liquors shall, on demand of the carrier transporting such liquors, furnish the carrier, at the place of delivery, with legal proof of the consignee's legal right to receive such liquors at the time of delivery, and until such proof is furnished the carrier shall be under no legal obligation to make delivery nor be liable for failure to deliver.

**Sec. 78-a2. Delivery to sheriff.**

If such proof be not furnished the carrier within ten (10) days after demand, the carrier may deliver such liquors to the sheriff of the county embracing the place of delivery, and such delivery shall absolve said carrier from all liability pertaining to said liquors.

**Sec. 78-a3. Destruction.**

The sheriff shall, on receipt of such liquors from the carrier, report the receipt to the district court of his county or to a judge thereof, and the court or judge shall proceed to summarily enter an order for the destruction of said liquors.

**Sec. 78-a4. Temporary section.**

The code editor is directed, in compiling the new code, to insert the three last preceding sections in that body of statute known as Senate File No. 51 of the acts of the extra session of the Fortieth General Assembly.

JOHN BRADLEY, *Chairman.*

Report adopted.

## REPORT OF JOINT COMMITTEE ON RULES

Ontjes of Grundy, from the joint committee on rules, submitted the following report:

MR. SPEAKER: Your joint committee on rules submits the following report:

**Amendment to Joint Rule No. 1:**

Amend by inserting the following sentence after the word "insist" in line thirteen (13): "If a motion to recede falls of a constitutional majority such action shall be deemed as insisting on the amendments and shall be so entered upon the Journal of the house."

Further amend by inserting the following after the comma (,) in

line fifteen (15): "and such negative vote is equal to a constitutional majority."

O. A. ONTJES,  
*Chairman of House Committee on Rules.*

M. L. BOWMAN,  
*Chairman of Senate Committee on Rules.*

Ordered passed on file.

#### AMENDMENTS FILED

Potts of Lee filed the following amendments to House File No. 84:

Amend House File No. 84 as follows:

(1) Strike all of section 50 and insert in lieu thereof the following:

"Sec. 50. Services required.

Inmates of said institutions subject to the provisions hereinafter provided, may be required to render any proper and reasonable service either in the institutions proper or in the industries established in connection therewith."

(2) Strike all of section 84 and insert in lieu thereof the following:

"Sec. 84. Industries.

The board of control shall establish in said institutions such industries as will furnish and supply all public, charitable and educational institutions of the state or any political subdivision thereof and the primary county and township road systems of the state, with such articles as are necessary to be used in such institutions and are used by the primary, county and township road systems of the state, such as chairs, furniture and equipment, clothes, shoes and wearing apparel for the inmates thereof and gravel, crushed rock, automobile number plates, highway marker signs and such other appliances for the building, maintaining and repairing of the road systems of the state as the board of control from time to time may see fit to establish in said institutions."

(3) Strike out all of section 461 and insert in lieu thereof the following:

"Sec. 461. Employment of convicts.

Prisoners in the penitentiary or men's reformatory shall be employed only on state account in the maintenance of the institutions or in the erection, repair, or operation of buildings and works used in connection with said institutions and in such industries as may be established and maintained in connection therewith by the board of control.

Sec. 461-a1. Prices of labor.

The board of control shall fix and determine the price which shall be

paid to the said board by the various public bodies to which convict labor may be furnished.

**Sec. 461-a2. Forms for requisitions.**

The board shall devise and furnish to all such institutions and road districts a proper form of requisition and shall devise and furnish a public system of accounts to be kept for all such transactions.

**Sec. 461-a3. Classification.**

It shall be the duty of the board to classify the buildings, offices, institutions and road districts, owned, managed or controlled by the state or any political subdivision thereof, and it shall fix and determine the styles, patterns, designs and qualities of the articles to be manufactured for such buildings, offices and public institutions and road districts.

**Sec. 461-a4. Application for material.**

The township trustees of any township or the board of supervisors of any county may make application to the board of control for such road building material, and other appliances, as may be needed or required by them for the construction, improvement or repairing of the township, county or state roads in their respective districts.

**Sec. 461-a5. Purchase mandatory.**

No articles or supplies manufactured by the labor of convicts shall be purchased from any other source by the state or its institutions or any political subdivision thereof or by the officers of any road district unless the board of control shall first have certified on the requisition made to said board that such articles can not be furnished, but, such requisition shall be honored as far as possible.

**Sec 461-a6. Selling price.**

Such supplies, material and articles of convict labor shall be furnished by the board of control to the state, its institutions and political subdivision thereof and the road districts of the state at cost of production plus the cost of operation and maintenance of said institutions.

**Sec. 461-a7. Labor on highways.**

Whenever there are persons confined in the state penitentiary or reformatory who are physically able to perform manual labor upon the public highway and who shall not be engaged in another work required by the board of control, the same may be employed upon the public highway within the state.

**Sec. 461-a8. Convicts available for road work.**

The board of control shall monthly certify to the board of supervisors of each county, the number of persons in the penitentiary and reformatory, who may be used for road work. The state highway commission shall, whenever possible, use such persons in the building or repairing of public roads.

**Sec. 461-a9. Supervision of work.**

The work herein provided for shall be under the direction and supervision of the board of supervisors but all the persons taken from said penitentiary and reformatory shall be under jurisdiction of the state board of control.

Sec. 461-a10. Limitation on contract.

The board of control or the warden of the state penitentiary or the superintendent of the reformatory shall not, nor shall any other person employed by the state make any contract by which the labor or time of any prisoner or inmate in such penitentiary or reformatory or the products or profits of his work shall be contracted, let, farmed out, given or sold to any person, firm, association or corporation, except as their products and labor may be disposed of to the state or for or to any public institution owned, managed or controlled by the state or any political subdivision thereof.

Sec. 461-a11. Validity of contracts.

Any contract made by the board of control or by the warden of the state penitentiary or by the superintendent of the reformatory or any person or persons acting for or through them in violation of or contrary to the foregoing provisions shall be null and void.

Sec. 461-a12. Minimum and maximum wage.

All prisoners or inmates when laboring inside or outside of said penitentiary or reformatory, shall receive a reasonable wage to be allowed by the board of control for each day's work actually performed according to services rendered. The board may assign or cause to be assigned, a reasonable daily task to be performed by each inmate and the compensation for such inmate shall be in proportion to the amount of work he performs. In case he performs a daily task assigned him, he shall receive at least the minimum compensation herein provided for.

Sec. 461-a13. Application of earnings.

The money so earned shall be placed to the credit of such inmate. Whenever an inmate has more than fifty dollars (\$50.00) earned and to his credit, his wife or minor children or other persons depending upon him for support shall be entitled to draw seventy-five per centum of such excess of the sum of fifty dollars (\$50.00) and in case the inmate has no dependents the amount of his earnings shall be retained and credited to his personal account during his term of confinement and given to such inmate when his term expires or when he is discharged."

(4) Strike out sections 52, 53 and 54 of the bill.

Wilson of Tama filed the following amendment to House File No. 277:

Amend House File No. 277 by changing the period at the end of section 167 to a comma and adding thereto the following: "provided, however, that such vehicles coming from alleys and private drives, where view is obstructed, shall stop immediately before entering a public street or highway."

On motion of Moen of Lyon the House adjourned until 10:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 22, 1924.

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

Prayer was offered by the Rev. J. P. Quirin, Britt, Iowa.

Journal of March 21st corrected and approved.

## PETITIONS

Wolfe of Linn presented a petition from citizens of Linn county, urging the repeal of the law under which druggists may dispense intoxicating liquors under permits. Referred to committee on suppression of intemperance.

Parsons of Calhoun presented a petition from the board of supervisors of Calhoun county, favoring a gasoline tax bill and urging further regulation of traffic on highways. Referred to committee on roads and highways.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Gibson of Clarke for the day, on request of Grimwood of Jones; Huff of Cass for the day, on request of Wolfe of Linn; Wilson of Tama for the day, on request of Lieberknecht of Louisa; Storey of Warren for the day, on request of Peterson of Henry; Saunders of Palo Alto for the day, on request of Patterson of Kossuth; Garber of Adair for the day, on request of Vincent of Guthrie; Robson of Greene for the day, on request of Children of Pottawattamie; Slemmons of Duchanan for the day, on request of Frahm of Carroll; Healy of Hancock for the day, on request of Rassler of Pocahontas.

## REPORT OF COMMITTEE

Graham of Wapello, from the committee on elections, submitted the following report:

MR SPEAKER: You committee on elections to whom was referred Senate File No. 25, a bill for an act to amend, revise, and codify chapter six (6) of title four (4) of the compiled code of Iowa and of the supplement

to said code, and section thirty-four hundred forty-two (3442) of the compiled code of Iowa, and sections four hundred ninety-nine-a four (499-a4) and four hundred ninety-nine-a eleven (499-a11) of the supplement to said code, relating to the method of conducting 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 do pass.

S. L. GRAHAM, *Chairman*.

Report adopted.

#### INTRODUCTION OF BILL

House File No. 306, by Stock of Allamakee, a bill for an act to legalize certain acts of the Waterville independent consolidated school district of Allamakee county, Iowa, and of its officers and board of directors, in relation to the reimbursement of Ray C. Robey, a taxpayer of said district, of funds expended by him for the benefit of the district whereby he saved the school district the sum of about six thousand eight hundred eighty dollars (\$6880).

Read first and second times and referred to committee on judiciary.

#### CONSIDERATION OF BILLS

Senate File No. 299, a bill for an act legalizing the transfer of certain funds by the county treasurer of Appanoose county, Iowa, with report of committee recommending passage, was taken up for consideration.

Scott of Appanoose moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Criswell	Grimwood	Letts
Anderson of	Donhowe	Hansen	Lichty
Webster	Dotts	Harrison	Lieberknecht
Berry	Edge	Hattendorf	Long
Blake	Edson	Held	Mathews
Blume	Forsling	Hempel	Matthiesen
Bradley	Frahm	Henderson	Miller
Brady	Gallagher	Himebauch	Moen
Brittain	Garber of Floyd	Hollis	Napier
Carter	Gesman	King	Natvig
Colbert	Gilbertson	Knutson	Noble
Cole	Gilmore	Lake	Oliver

Ontjes	Rhinehart	Smith of	Wamstad
Orr	Rust	Chick	Wamstad
Parsons	Sampson	Smith of Lucas	Weber
Patterson	Schirmer	Stock	Wolfe
Peterson	Schulte	Stookesberry	Mr. Speaker—74
Quirk	Scott of	Strippel	
Rassler	Appanoose	Ulstad	
Rewoldt	Scott of Fremont	Venard	

The nays were, none.

Absent or not voting:

Buffington	Garber of Adair	Lovrien	Robson
Children	Gibson	McClune	Rumley
Clark	Gilbert	O'Donnell	Saunders
Dewar	Graham	Olson	Slemmons
Dilts	Hauge	Potts	Storey
Dooley	Healy	Powers	Williams
Doolittle	Huff	Ramsey	Wilson
Elliott	Johnson	Rankin	Yenter—34
Fackler	Leonard		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 88-A, a bill for an act to amend, revise, and codify sections two thousand two hundred ninety-six (2296) to two thousand three hundred three (2303), inclusive, two thousand three hundred five (2305), two thousand three hundred seven (2307), two thousand three hundred eight (2308), two thousand four hundred eighty-one (2481) to two thousand four hundred eighty-eight (2488), inclusive, and two thousand four hundred ninety-two (2492) to two thousand four hundred ninety-nine (2499), inclusive, of the compiled code, and sections two thousand two hundred ninety-five (2295), two thousand three hundred four (2304), two thousand three hundred six (2306) and two thousand four hundred eighty-two-a one (2482-a1) of the supplement to said code, relating to education, was taken up for consideration.

Harrison of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Blake	Brittain	Cole
Anderson of	Blume	Carter	Criswell
Webster	Bradley	Children	Dilts
Berry	Brady	Colbert	Donhowe

Dotts	Himebauch	Noble	Scott of Fremont
Edge	Hollis	Ontjes	Smith of
Edson	Johnson	Parsons	Chickasaw
Forsling	King	Patterson	Smith of Lucas
Frahm	Knutson	Peterson	Stock
Gallagher	Lake	Potts	Stookesberry
Gesman	Letts	Quirk	Strippel
Gilbertson	Lichty	Rankin	Ulstad
Gilmore	Lieberknecht	Rassler	Venard
Grimwood	Long	Rewoldt	Vincent
Harrison	Mathews	Rumley	Wamstad
Hattendorf	Matthiesen	Sampson	Weber
Hauge	Miller	Schirmer	Wolfe
Held	Moen	Schulte	Mr. Speaker--75
Hempel	Napler	Scott of	
Henderson	Natvig	Appanoose	

The nays were:

Oliver—1

Absent or not voting:

Buffington	Garber of Floyd	Lovrien	Robson
Clark	Gibson	McClune	Rust
Dewar	Gilbert	O'Donnell	Saunders
Dooley	Graham	Olson	Slemmons
Doolittle	Hansen	Orr	Storey
Elliott	Healy	Powers	Williams
Fackler	Huff	Ramsey	Wilson
Garber of Adair	Leonard	Rhinehart	Yenter—32

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 305, a bill for an act to repeal chapter three hundred ten (310) acts of the Thirty-ninth (39) General Assembly and chapter three hundred thirty-five (335) acts of the Fortieth (40) General Assembly, relating to an appropriation for the purpose of making insurance tax refunds and to provide for the return of the unexpended balance of said appropriation to the general revenues of the state, with report of committee recommending passage, was taken up for consideration.

Hauge of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Blake	Brittain	Cole
Anderson of	Blume	Carter	Criswell
Webster	Bradley	Children	Diltz
Berry	Brady	Colbert	Donhowe

Dotts	Hempel	Noble	Scott of
Edge	Henderson	Oliver	Appanoose
Edson	Himebauch	Ontjes	Scott of Fremont
Forsling	Johnson	Orr	Smith of
Frahm	King	Parsons	Chickasaw
Gallagher	Knutson	Patterson	Stock
Garber of Floyd	Lake	Peterson	Stookesberry
Gesman	Letts	Quirk	Strippel
Gilbertson	Lieberknecht	Rassler	Ulstad
Gilmore	Long	Rewoldt	Venard
Grimwood	Mathews	Rumley	Vincent
Harrison	Matthiesen	Rust	Wamstad
Hattendorf	Moen	Sampson	Weber
Hauge	Napier	Schirmer	Mr. Speaker—72
Held	Natvig	Schulte	

The nays were, none.

Absent or not voting:

Buffington	Gilbert	McClune	Robson
Clark	Graham	Miller	Saunders
Dewar	Hansen	O'Donnell	Slemmons
Dooley	Healy	Olson	Smith of Lucas
Doolittle	Hollis	Potts	Storey
Elliott	Huff	Powers	Williams
Fackler	Leonard	Ramsey	Wilson
Garber of Adair	Lichty	Rankin	Wolfe
Gibson	Lovrien	Rhinehart	Yenter—36

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 179, a bill for an act to amend, revise, and codify sections three thousand six hundred thirty-three (3633), three thousand six hundred thirty-four (3634), three thousand nine hundred eight (3908), three thousand nine hundred fifty-one (3951), four thousand sixty-two (4062), four thousand sixty-three (4063), four thousand sixty-five (4065) to four thousand sixty-eight (4068), inclusive, of the compiled code of Iowa, and sections four thousand sixty-one (4061), four thousand sixty-five-a one (4065-a1) of the supplement to said code, relating to municipal corporations, with report of committee recommending passage, was taken up for consideration.

Diltz of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Frahm	Letts	Rust
Anderson of	Gallagher	Lichty	Sampson
Webster	Garber of Floyd	Lieberknecht	Schirmer
Berry	Gesman	Long	Scott of
Blake	Gilbertson	Mathews	Appanoose
Blume	Gilmore	Matthiesen	Scott of Fremont
Bradley	Grimwood	Moen	Smith of
Brady	Harrison	Napier	Chickasaw
Brittain	Hattendorf	Natvig	Smith of Lucas
Carter	Hauge	Noble	Stock
Colbert	Held	Orr	Stookesberry
Cole	Hempel	Parsons	Strippel
Criswell	Henderson	Patterson	Ulstad
Diltz	Himebauch	Peterson	Venard
Donhowe	Hollis	Quirk	Wamstad
Dotts	Johnson	Rankin	Weber
Edge	King	Rewoldt	Mr. Speaker—71
Edson	Knutson	Rhinehart	
Forsling	Lake	Rumley	

The nays were, none.

Absent or not voting:

Buffington	Gilbert	O'Donnell	Saunders
Children	Graham	Oliver	Schulte
Clark	Hansen	Olson	Slemmons
Dewar	Healy	Ontjes	Storey
Dooley	Huff	Potts	Vincent
Doolittle	Leonard	Powers	Williams
Elliott	Lovrien	Ramsey	Wilson
Fackler	McClune	Rassler	Wolfe
Garber of Adair	Miller	Robson	Yenter—37
Gibson			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 303, a bill for an act to legalize an election held on the 21st day of January, 1924, in and for the town of Ionia, county of Chickasaw, state of Iowa, on the propositions of constructing a municipal electric light and power system and of issuing bonds in the sum of fourteen thousand dollars (\$14,000) to pay the cost thereof, and to legalize all acts and proceedings of the town council of said town in respect to said election and said bonds, with report of committee recommending passage, was taken up for consideration.

Smith of Chickasaw moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Floyd	Lieberknecht	Sampson
Anderson of	Gesman	Long	Schirmer
Webster	Gilbertson	Mathews	Scott of
Berry	Gilmore	Matthiesen	Appanoose
Blake	Grimwood	Miller	Scott of Fremont
Blume	Harrison	Moen	Smith of
Brady	Hattendorf	Napler	Chickasaw
Carter	Held	Natvig	Smith of Lucas
Children	Hempel	Ontjes	Stock
Colbert	Henderson	Parsons	Stookesberry
Cole	Himebauch	Patterson	Strippel
Criswell	Hollis	Peterson	Ulstad
Donhowe	Johnson	Quirk	Venard
Dotts	King	Rankin	Vincent
Edson	Knutson	Rhinehart	Wamstad
Forsling	Lake	Rumley	Weber
Frahm	Letts	Rust	Mr. Speaker—67
Gallagher	Lichty		

The nays were:

Brittain—1

Absent or not voting:

Bradley	Garber of Adair	McClune	Rewoldt
Buffington	Gibson	Noble	Robson
Clark	Gilbert	O'Donnell	Saunders
Dewar	Graham	Oliver	Schulte
Diltz	Hansen	Olson	Slemmons
Dooley	Hauge	Orr	Storey
Doolittle	Healy	Potts	Williams
Edge	Huff	Powers	Wilson
Elliott	Leonard	Ramsey	Wolfe
Fackler	Lovrien	Rassler	Yenter—40

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Edson of Buena Vista, unanimous consent having been given, House File No. 100, a bill for an act to amend, revise, and codify sections twenty-five hundred eight (2508), twenty-five hundred nine (2509), twenty-five hundred fifteen (2515) to twenty-five hundred seventeen (2517), inclusive, and twenty-five hundred twenty-six (2526) to twenty-five hundred thirty-four (2534), inclusive, of the compiled code of Iowa, and sections twenty-five hundred twenty-four-a one (2524-a1) to twenty-five hundred twenty-four-a forty (2524-a40), inclusive, and twenty-five hundred twenty-five (2525) of the supplement to said code, relating to education, with Senate amendments,

found in the House Journal of March 21st, was taken up and the amendments read and considered.

A division of the amendments was asked for.

Mr. Edson moved that the House concur in the Senate amendments to section 9.

On the question "Shall the House concur?"

The ayes were:

Anderson of	Gallagher	Mathews	Sampson
Webster	Gilbertson	Matthieson	Schirmer
Blake	Grimwood	Miller	Scott of
Blume	Hattendorf	Moen	Appanoose
Bradley	Hempel	Napier	Scott of Fremont
Brady	Henderson	Natvig	Smith of
Brittain	Himebauch	Noble	Chickasaw
Carter	Hollis	Orr	Smith of Lucas
Colbert	Johnson	Parsons	Stock
Cole	King	Peterson	Stookesberry
Criswell	Lake	Potts	Strippel
Donhowe	Letts	Quirk	Ulstad
Dotts	Lichty	Rewoldt	Venard
Edson	Lieberknecht	Rhinehart	Weber
Frahm	Long	Rust	Mr. Speaker—57

The nays were:

Children	Held	Oliver	Rassler—7
Harrison	Knutson	Ontjes	

Absent or not voting:

Aiken	Forsling	Huff	Rumley
Berry	Garber of Adair	Leonard	Saunders
Buffington	Garber of Floyd	Lovrien	Schulte
Clark	Gesman	McClune	Slemmons
Dewar	Gibson	O'Donnell	Storey
Diltz	Gilbert	Olson	Vincent
Dooley	Gilmore	Patterson	Wamstad
Doolittle	Graham	Powers	Williams
Edge	Hansen	Ramsey	Wilson
Elliott	Hauge	Rankin	Wolfe
Fackler	Healy	Robson	Yenter—44

The House concurred in the Senate amendments to section 9 of House File No. 100.

Children of Pottawattamie moved that further action on the Senate amendments be deferred.

Motion prevailed.

#### HOUSE FILE NO. 84 REREFERRED

Lake of Woodbury moved that House File No. 84 be rereferred to the committee on board of control.

By a rising vote the motion, having received a two-thirds majority, prevailed.

#### HOUSE FILES WITHDRAWN

On request of Smith of Chickasaw, unanimous consent having been obtained, House File No. 303 was withdrawn from further consideration by the House.

On request of Carter of Hardin, unanimous consent having been obtained, House File No. 290 was withdrawn from further consideration by 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 Senate was asked:

House File No. 301, a bill for an act to amend chapter seven (7), section twelve (12), acts of the Thirty-ninth General Assembly, relating to the practice of chiropractic.

Also, that the Senate has refused to adopt and concur in the report of the conference committee on Senate File No. 125, a bill relating to the destruction of weeds on private lands and public highways and requests a second conference committee. The President has appointed as members of such committee on the part of the Senate, Senators Goodwin, Johnston, Mead and White.

Also, that the Senate has concurred in the House amendments to Senate File No. 203, a bill for an act relating to cooperative associations.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 254, a bill for an act relating to bonds for the performance of contracts for public improvements, and to the rights of persons who furnish labor or materials on such improvements.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 200, a bill for an act relating to interurban railways.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 254

Amend by striking from paragraph 2 of section 1 the following: "except in cases of public improvement for drainage or levee purposes the provisions of the drainage law in cases of conflict shall govern", and inserting in lieu thereof "and shall include improvements under the jurisdiction of the board of supervisors for drainage purposes".

Amend section 2 by striking out all after the period (.) following the word "amount" in line 6.

Amend section 6 by adding at the close thereof the following:

"Every surety on this bond shall be deemed and held, any contract to the contrary notwithstanding, to consent without notice:

1. To any extension of time to the contractor in which to perform the contract.

2. To any change in the plans, specifications or contract, when such change does not involve an increase of more than twenty per cent of the total contract price, and shall then be released only as to such excess increase.

3. That no provision of this bond or of any other contract shall be valid which limits to less than one year from the time of the acceptance of the work the right to sue on this bond for defects in workmanship or material not discovered or known to the obligee at the time such work was accepted."

#### SENATE AMENDMENTS TO HOUSE FILE NO. 200

Amend by striking out all of Sec. 16, and substituting the following therefor:

"Sec. 16. Any interurban railway company requiring an electric generating plant for its operation, shall have the power of eminent domain to acquire, by condemnation, the right of access to all necessary streams or other sources for the purpose of supplying its power house with water, and of making the necessary changes and improvements, and to repair or renew the same from time to time, in such streams, or upon the lands from which it is to obtain said water supply, in the same manner provided by law for the taking of private property for works of internal improvement. Such company shall pay to the owner of any lands or water rights, all damages arising out of the exercise of such right."

Amend section 20 by striking out all after the word "till" in line 11, and inserting in lieu thereof the following: "the damages awarded by the condemnation commission have been deposited with the sheriff."

#### PROOF OF PUBLICATION OF HOUSE FILE NO. 306

The official proof of publication of House File No. 306, a bill for an act to legalize certain acts of the Waterville independent consolidated school district of Allamakee county, Iowa, and of its officers and board of directors, in relation to the reimbursement of Ray C. Robey, a tax payer of said district, of funds expended by him for the benefit of the district whereby he saved the school district the sum of about six thousand eight hundred eighty dollars (\$6,880), was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## APPOINTMENT OF CONFERENCE COMMITTEE

As a second conference committee on Senate File No. 125, the Speaker appointed the following members on the part of the House: King of Clay, Venard of Sioux, Children of Pottawattamie and Johnson of Dickinson.

## SENATE FILE ORDERED REPRINTED AND MADE SPECIAL ORDER

On request of Bradley of Poweshiek, unanimous consent having been obtained, Senate File No. 283 was ordered reprinted with the amendments proposed by the committee on suppression of intemperance inserted therein, and the bill was made a special order for Tuesday, March 25th, at 10:30 a. m.

REPORT OF CONFERENCE COMMITTEE ON SUBSTITUTE FOR  
HOUSE FILE NO. 54

Johnson of Dickinson, from the conference committee on Substitute for House File No. 54, submitted the following report:

MR. SPEAKER: Your conference committee on Substitute for House File No. 54 beg leave to recommend the following as a settlement for the differences now existing between the House and Senate:

(1) That the House concur in Senate amendments to sections 5, 7 and 14.

(2) That the Senate recede from its amendments to section 24 and that section 24 of the bill be stricken and the following substituted in lieu thereof:

"Sec. 24. Size limits.

No person shall at any time kill, destroy, have in possession or under control, for any purpose whatever, any pike, pickerel or blue or channel catfish less than twelve (12) inches in length, any bass less than ten inches (10) in length, except rock or silver bass which shall not be less than seven (7) inches in length, or any trout or crappie less than eight (8) inches in length, or any perch less than seven (7) inches in length, or any sunfish less than six (6) inches in length, except as otherwise provided in this chapter when using licensed nets or seines. Any such fish taken shall be immediately returned to the water with as little injury to the fish as possible."

(3) That the House concur in Senate amendments to section 25.

(4) Also that the House concur in the Senate amendment inserting section 32-a1.

(5) Also that the House concur in the Senate amendments to sections 35, 38, 38-a1 and 40.

(6) That the Senate recede from its amendment to section 55 and that section 55 be amended by striking from line 4 the words "November fourteenth" and substituting the words "October thirty-first".

(7) That the House concur in the second Senate amendment to section 55.

(8) That the Senate recede from its amendment to Section 56.

(9) That the House concur in Senate amendment to section 74 and also the Senate amendment inserting section 74-a1.

(10) That the bill be further amended by striking lines 10, 11, 12 and 13 of section 17 and inserting in lieu thereof the following:

"1. For resident of the state for fishing with hook and line in stocked meandered lakes and hunting, one dollar (\$1.00).

2. For nonresident or resident alien, for fishing with hook and line and trot-line in any state waters, three dollars (\$3.00)."

(11) That the bill be further amended by striking out the words "and trot-line" from lines 3 and 4 of section 19 and inserting in lieu thereof the words "in stocked meandered lakes".

FRANCIS JOHNSON

L. T. QUIRK

C. A. KNUTSON

THEO. C. BLUME

*House Conferees.*

O. L. MEAD

JNO. R. PRICE

BYRON W. NEWBERRY

H. A. ADAMS

*Senate Conferees.*

#### AMENDMENTS FILED

Diltz of Polk filed the following amendments to House File No. 277:

Amend House File No. 277 as follows:

(1) Amend section 130 by striking the period (.) at the end of line 4 and inserting in lieu thereof the following: "and to designate by ordinance the conditions under which vehicles may be parked in public streets or alleys during the hours of darkness."

(2) Amend by adding a new section as follows:

"Sec. 222. Concealing or removing vehicle under mortgage or contract.

Any person, who shall knowingly conceal, barter, destroy, sell, remove or dispose of a motor vehicle which is subject to a chattel mortgage or conditional sale contract, without the written consent of the holder thereof, and contrary to the terms and provisions of the mortgage or conditional sale contract to which the same is subject, shall be guilty of larceny and be punished accordingly. Failure to obtain the written consent of the then holder of the chattel mortgage or conditional sale contract to do any of the things herein forbidden, shall be prima facie evidence of a violation of the provisions of this section. Prosecution may be had in any county where any part of the act or acts constituting the

offense is committed, or, in the county where the motor vehicle was registered, or, in the county where the mortgage or conditional sale contract is by its terms payable, or, in the county where the defendant last resided within the state."

Diltz of Polk filed the following amendments to Senate File No. 19:

Amend Senate File No. 19 by adding a new section thereto at the end of said bill, which shall be known as section 15. Said section 15 shall be as follows:

"Sec. 15. Terms applicable to funds, monuments and memorials previously initiated.

In any case of funds heretofore raised or in the process of being raised, by tax levy or other provision of law heretofore existing for any of the purposes provided by this chapter, the board of supervisors or the city or town council, as the case may be, shall cause such funds to be used and applied to all intents and purposes for the acquisition of necessary ground and the purchase, erection, construction or reconstruction and equipment of such monument or memorial building in the same manner and to the same extent as if such funds had been raised for said purpose by a bond issue, as provided in this chapter, and all the provisions of this chapter shall apply to said funds.

All other provisions of this chapter shall apply to any monument or memorial heretofore constructed or hereafter constructed from funds raised under any provision of law heretofore existing.

In all cases covered by this section, the taking effect of this act shall fix the time for the selection and appointment of the commissioners to all intents and purposes the same as an election on the proposition to erect a memorial building or monument, as provided in this chapter."

Wolfe of Linn filed the following amendment to House File No. 183:

Amend House File No. 183 as follows:

Following section 6 insert the following:

Sec. 6-a1. Deduction of mortgage, real estate.

Any person being owner of real estate liable for taxation in the state of Iowa, and being indebted in any sum, secured by mortgage upon the real estate, may have the amount of such mortgage indebtedness existing and unpaid upon the first day of January of any year, deducted from the valuation of the mortgaged premises for that year, and the amount of such valuation remaining after such deduction shall have been made shall form the basis for assessment and taxation for said real estate for said year; provided that no deduction shall be allowed greater than one-fourth of the assessed valuation of said real estate.

On motion of Gallagher of Iowa the House adjourned until 9:30 a. m. Monday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES.  
DES MOINES, IOWA, MARCH 24, 1924.

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

Prayer was offered by the Rev. E. L. Frost, pastor of the Central Church of Christ, Boone, Iowa.

Journal of March 22d corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Dooley of Van Buren for the forenoon, on request of Frahm of Carroll; Wilson of Tama for the day, on request of Lieberknecht of Louisa; Saunders of Palo Alto for the day, on request of Patterson of Kossuth.

## REPORT OF CONFERENCE COMMITTEE CONSIDERED

The report of the conference committee on Substitute for House File No. 54, found in the House Journal of March 22d, was taken up and considered.

Johnson of Dickinson moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee on Substitute for House File No. 54 and the amendments proposed by said conference committee be adopted?"

The ayes were:

Aiken	Carter	Elliott	Held
Anderson of Webster	Children Clark	Gallagher Garber of Floyd	Hempel Henderson
Berry	Colbert	Gilbertson	Himebauch
Blake	Cole	Gilmore	Holls
Blume	Criswell	Grimwood	Johnson
Bradley	Diltz	Harrison	King
Brady	Dotts	Hattendorf	Knutson
Brittain	Edge	Hauge	Lake
Buffington	Edson	Healy	Letts

Lichty	Patterson	Schirmer	Storey
Lieberknecht	Peterson	Schulte	Strippel
Long	Potts	Scott of	Ulstad
Miller	Powers	Appanoose	Venard
Moen	Quirk	Scott of Fremont	Wamstad
Napier	Rankin	Slemmons	Weber
Natvig	Rassler	Smith of	Wolfe
Oliver	Rewoldt	Chickasaw	Mr. Speaker—78
Ontjes	Robson	Smith of Lucas	
Orr	Rust	Stock	
Parsons	Sampson	Stookesberry	

The nays were:

Frahm                      Matthiesen—2

Absent or not voting:

Dewar	Gesman	Lovrien	Rhinehart
Donhowe	Gibson	McClune	Rumley
Dooley	Gilbert	Mathews	Saunders
Doolittle	Graham	Noble	Vincent
Fackler	Hansen	O'Donnell	Williams
Forsling	Huff	Olson	Wilson
Garber of Adair	Leonard	Ramsey	Yenter—28

The report of the conference committee on Substitute for House File No. 54 and the amendments proposed by said conference committee were adopted.

#### HOUSE FILE REREFERRED

Hauge of Polk moved that House File No. 295 be rereferred to the special budget committee.

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:

Senate File No. 304, a bill for an act to legalize the corporate acts and proceedings of the St. Anthony Savings Bank of St. Anthony, Iowa, and to authorize the renewal of the period of corporate existence of said bank.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 297, a bill for an act to legalize the corporate acts and proceedings of the Farmers Savings Bank of Beaconsfield, Iowa, and to authorize the renewal of the period of corporate existence of said bank.

Also, 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 to legalize certain acknowledgements and acts of notaries public.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 261-A, a bill for an act relating to drugs, poisons, narcotics, and abortifacients.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 77, a bill for an act relating to conveyances.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 57, a bill for an act relating to lost property.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 236, a bill for an act relating to estates of decedents.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 196, a bill for an act relating to regulation of carriers and definition of terms.

L. W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 236

Amend by inserting after the word "Iowa" in the second line of the title to said bill the following: "and section seven thousand nine hundred one-a four (7901-a4) of the supplement to the compiled code of Iowa,".

Amend by striking out all after the enacting clause of said bill and inserting the following in lieu thereof:

That section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa be amended, revised and codified to read as follows:

Section 1. Within thirty days after his appointment, each administrator or executor shall file under oath, a list of the names of the heirs of the deceased giving the age, relationship to the intestate and place of residence of each heir, and the name, age and place of residence of the surviving spouse, if any.

That section seven thousand nine hundred one-a four (7901-a4) of the supplement to the compiled code of Iowa be amended, revised and codified to read as follows:

Sec. 2. In case such surviving spouse does not make such election within six months from the date of the completed service of such notice, or if such surviving spouse shall be the executor of the will and fails, within six months after the will is admitted to probate, to file with the clerk of the court an election to refuse to take under the provisions of the will of the deceased, it shall be conclusively presumed that such survivor consents to the provisions of the will and elects to take thereunder; unless within such period of six months an affidavit should be

filed setting forth that such surviving spouse is mentally incapable of making such election.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 261-A

Amend by inserting in section 120-a26, line 3, immediately preceding the word "denatured" the following: "concentrated lye,".

Also amend by inserting in line 5 of said section, immediately preceding the word "and", the following: "the most available antidote,".

Also amend said section by striking from line 5 the words "person selling the same" and inserting in lieu thereof the words "manufacturer, distributor, or dealer,".

Amend by inserting immediately after section 120-a29 the following: "Sec. 120-a29a. Chemical analysis of drugs.

Any chemical analysis deemed necessary by the pharmacy examiners in the enforcement of this and the preceding chapter shall be made by the department of agriculture when requested by said examiners."

#### SENATE MESSAGE CONSIDERED

Senate File No. 304, a bill for an act to legalize the corporate acts and proceedings of the St. Anthony Savings Bank of St. Anthony, Iowa, and to authorize the renewal of the period of corporate existence of said bank.

Read first and second times and passed on file.

#### CONSIDERATION OF BILLS

House File No. 183, a bill for an act to amend, revise, and codify sections four thousand four hundred eighty-three (4483) to four thousand four hundred eighty-seven (4487), inclusive, four thousand five hundred eight (4508), four thousand five hundred nine (4509), four thousand five hundred ten (4510), four thousand five hundred eleven (4511), four thousand five hundred thirteen (4513), four thousand five hundred sixty-seven (4567), four thousand six hundred nineteen (4619), four thousand six hundred twenty (4620), and four thousand six hundred ninety-three (4693) of the compiled code of Iowa, and sections four thousand four hundred eighty-two (4482), four thousand four hundred ninety-three (4493), four thousand four hundred ninety-nine (4499), four thousand four hundred ninety-nine-a one (4499-a1), four thousand five hundred (4500), and four thousand six hundred nine (4609) of the supplement to said code, relating to taxation, with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of March 21st, were taken up and considered.

On motion of Vincent of Guthrie, committee amendments Nos. 2 and 3 were adopted.

Ontjes of Grundy moved that further action on House File No. 183 be deferred.

Criswell of Boone moved to amend the motion by making the bill a special order for Thursday, March 27th, at 10:00 a. m.

Amendment adopted.

Motion of Ontjes of Grundy, as amended, prevailed.

House File No. 302, a bill for an act to legalize the corporate acts and proceedings of St. Anthony Savings Bank of St. Anthony, Iowa, and to authorize the renewal of the period of corporate existence of said bank, with report of committee recommending passage, was taken up for consideration.

On motion of Gilbert of Marshall, Senate File No. 304, a bill for an act to legalize the corporate acts and proceedings of the St. Anthony Savings Bank of St. Anthony, Iowa, and to authorize the renewal of the period of corporate existence of said bank, was substituted for House File No. 302.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third readings of a bill on the same day, Mr. Gilbert moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Colbert	Hansen	Lieberknecht
Anderson of	Cole	Harrison	Long
Webster	Criswell	Hauge	Matthiesen
Berry	Diltz	Hempel	Napier
Blake	Doolittle	Henderson	Natvig
Blume	Dotts	Himebauch	Ontjes
Bradley	Edson	Hollis	Orr
Brady	Elliott	Johnson	Parsons
Brittain	Gallagher	King	Patterson
Buffington	Gilbert	Knutson	Peterson
Carter	Gilbertson	Lake	Potts
Children	Gilmore	Letts	Powers
Clark	Grimwood	Lichty	Quirk

Rankin	Schirmer	Smith of	Venard
Rewoldt	Schulte	Chickasaw	Vincent
Rhinehart	Scott of	Stock	Wamstad
Robson	Appanoose	Stookesberry	Weber
Rumley	Scott of Fremont	Storey	Williams
Rust	Slemmons	Strippel	Wolfe
Sampson	Smith of Lucas	Ulstad	Mr. Speaker—77

The nays were, none.

Absent or not voting:

Dewar	Garber of Floyd	Leonard	Oliver
Donhowe	Gesman	Lovrien	Olson
Dooley	Gibson	McClune	Ramsey
Edge	Graham	Mathews	Rassler
Fackler	Hattendorf	Miller	Saunders
Forsling	Healy	Moen	Wilson
Frahm	Held	Noble	Yenter—31
Garber of Adair	Huff	O'Donnell	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 19, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-eight (3348) to thirty-three hundred fifty-one (3351), inclusive, thirty-three hundred fifty-three (3353), thirty-seven hundred sixty-five (3765), thirty-seven hundred sixty-eight (3768), and thirty-seven hundred seventy (3770) of the compiled code of Iowa, and sections thirty-three hundred fifty-two (3352), thirty-seven hundred sixty-seven (3767), and thirty-seven hundred sixty-nine (3769) of the supplement to said code, relating to memorial halls and monuments for soldiers, sailors, and marines, with report of committee on military affairs recommending amendment and passage, was taken up for consideration.

The following amendment filed by Diltz of Polk was taken up and considered:

Amend Senate File No. 19 by adding a new section thereto at the end of said bill, which shall be known as section 15. Said section 15 shall be as follows:

"Sec. 15. Terms applicable to funds, monuments and memorials previously initiated.

In any case of funds heretofore raised or in the process of being raised, by tax levy or other provision of law heretofore existing for any of the purposes provided by this chapter, the board of supervisors or the city or town council, as the case may be, shall cause such funds to be used and applied to all intents and purposes for the acquisition of necessary ground and the purchase, erection, construction or reconstruction and equipment of such monument or memorial building in the same man-

ner and to the same extent as if such funds had been raised for said purpose by a bond issue, as provided in this chapter, and all the provisions of this chapter shall apply to said funds.

All other provisions of this chapter shall apply to any monument or memorial heretofore constructed or hereafter constructed from funds raised under any provision of law heretofore existing.

In all cases covered by this section, the taking effect of this act shall fix the time for the selection and appointment of the commissioners to all intents and purposes the same as an election on the proposition to erect a memorial building or monument, as provided in this chapter."

On motion of Mr. Diltz the amendment was adopted.

On motion of Mr. Diltz the amendments proposed by the committee, found in the Journal of March 21st, were adopted.

Mr. Diltz moved that the bill be read a third time now and placed upon its passage.

Himebauch of Emmet moved to reconsider the vote by which committee amendment No. 1 was adopted.

On the question "Shall the vote by which committee amendment No. 1 was adopted be reconsidered?" a roll call was demanded.

The ayes were:

Brittain	Hattendorf	Oliver	Powers
Buffington	Himebauch	Ontjes	Smith of
Gallagher	Long	Patterson	Lucas—13
Gilbertson	Miller		

The nays were:

Berry	Elliott	Matthiesen	Schulte
Blake	Frahm	Moen	Scott of Fremont
Blume	Garber of Floyd	Napier	Slemmons
Bradley	Grimwood	Natvig	Smith of
Children	Hansen	Parsons	Chickasaw
Colbert	Hauge	Peterson	Stock
Cole	Hempel	Quirk	Stookesberry
Criswell	Henderson	Rankin	Storey
Diltz	Hollis	Rhinehart	Strippel
Doolittle	Johnson	Robson	Ulstad
Dotts	Knutson	Rumley	Venard
Edge	Letts	Rust	Weber
Edson	Lichty	Schirmer	Mr. Speaker—51

Absent or not voting:

Aiken	Clark	Forsling	Gilmore
Anderson of	Dewar	Garber of Adair	Graham
Webster	Donhowe	Gesman	Harrison
Brady	Dooley	Gibson	Healy
Carter	Fackler	Gilbert	Held

Huff	Mathews	Rassler	Wamstad
King	Noble	Rewoldt	Williams
Lake	O'Donnell	Sampson	Wilson
Leonard	Olson	Saunders	Wolfe
Lieberknecht	Orr	Scott of	Yenter—44
Lovrien	Potts	Appanoose	
McClune	Ramsey	Vincent	

The motion to reconsider was lost.

Senate File No. 19 was read a third time.

On the question "Shall the bill pass?" rule 18 was invoked.

The ayes were:

Aiken	Elliott	Mathews	Schulte
Anderson of	Frahm	Matthiesen	Scott of
Webster	Garber of Floyd	Moen	Appanoose
Berry	Gilbert	Napler	Scott of Fremont
Blake	Gilmore	Natvig	Slemmons
Blumø	Grimwood	Orr	Smith of
Bradley	Hansen	Parsons	Chickasaw
Brady	Hattendorf	Patterson	Smith of Lucas
Brittain	Hauge	Peterson	Stock
Buffington	Held	Potts	Stookesberry
Carter	Hempel	Powers	Storey
Children	Henderson	Quirk	Strippel
Colbert	Hollis	Rankin	Ulstad
Cole	Johnson	Rewoldt	Venard
Criswell	King	Rhinehart	Vincent
Diltz	Knutson	Robson	Wamstad
Doolittle	Letts	Rumley	Weber
Dotts	Lichty	Rust	Williams
Edge	Lieberknecht	Sampson	Wolfe
Edson	Long	Schirmer	Mr. Speaker—77

The nays were:

Gallagher	Himebauch	Oliver	Ontjes—6
Gilbertson	Noble		

Absent or not voting:

Clark	Gesman	Lake	Olson
Dewar	Gibson	Leonard	Ramsey
Donhowe	Graham	Lovrien	Rassler
Dooley	Harrison	McClune	Saunders
Fackler	Healy	Miller	Wilson
Forsling	Huff	O'Donnell	Yenter—25
Garber of Adair			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the

Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 306, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Black Hawk county, Iowa.

LEON W. AINSWORTH, *Secretary*.

#### SENATE MESSAGE CONSIDERED

Senate File No. 306, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Black Hawk county, Iowa.

Read first and second times and passed on file.

#### CONSIDERATION OF BILLS

House File No. 304, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Black Hawk county, Iowa, with report of committee recommending passage, was taken up for consideration.

On motion of Hollis of Black Hawk, Senate File No. 306, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Black Hawk county, Iowa, was substituted for House File No. 304.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third readings of a bill on the same day, Mr. Hollis moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gallagher	Mathews	Rust
Webster	Gilbert	Matthiesen	Sampson
Blake	Gilmore	Moen	Schirmer
Brady	Grimwood	Napler	Schulte
Brittain	Hattendorf	Natvig	Scott of
Buffington	Hauge	Noble	Appanoose
Carter	Held	Oliver	Scott of Fremont
Colbert	Hempel	Parsons	Smith of
Criswell	Henderson	Patterson	Chickasaw
Diltz	Himebauch	Peterson	Smith of Lucas
Doolittle	Hollis	Powers	Stock
Dotts	Johnson	Rankin	Stokesberry
Edge	Knutson	Rewoldt	Storey
Edson	Letts	Rhinehart	Strippel
Forsling	Lichty	Robson	Venard

Vincent                      Weber                      Mr. Speaker—62  
Wamstad                      Williams

The nays were:

Blume                      Long—2

Absent or not voting:

Alken	Frahm	King	Potts
Berry	Garber of Adair	Lake	Quirk
Bradley	Garber of Floyd	Leonard	Ramsey
Children	Gesman	Lieberknecht	Rassler
Clark	Gibson	Lovrien	Rumley
Cole	Gilbertson	McClune	Saunders
Dewar	Graham	Miller	Slemmons
Donhowe	Hansen	O'Donnell	Ulstad
Dooley	Harrison	Olson	Wilson
Elliott	Healy	Ontjes	Wolfe
Fackler	Huff	Orr	Yenter—44

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 301, a bill for an act to legalize the action of the board of directors of the independent school district of Toledo, Tama county, Iowa, and the treasurer thereof in the transfer of certain funds from the general fund to the schoolhouse fund of said school district, with report of committee recommending passage, was taken up for consideration.

Vincent of Guthrie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Forsling	Long	Schulte
Webster	Gallagher	Mathews	Scott of
Blake	Garber of Floyd	Matthiesen	Appanoose
Blume	Gilbert	Moen	Scott of Fremont
Bradley	Gilbertson	Napier	Smith of
Brady	Gilmore	Natvig	Chickasaw
Brittain	Grimwood	Noble	Smith of Lucas
Buffington	Hattendorf	Ontjes	Stock
Carter	Hauge	Parsons	Stookesberry
Children	Held	Peterson	Storey
Clark	Hempel	Powers	Strippel
Colbert	Henderson	Quirk	Venard
Cole	Himebauch	Rankin	Vincent
Criswell	Hollis	Rassler	Wamstad
Diltz	Johnson	Rewoldt	Weber
Doolittle	Knutson	Robson	Williams
Dotts	Letts	Rust	Mr. Speaker—70
Edge	Lichty	Schirmer	
Edson	Lieberknecht		

The nays were, none.

Absent or not voting:

Aiken	Gibson	McClune	Rhinehart
Berry	Graham	Miller	Rumley
Dewar	Hansen	O'Donnell	Sampson
Donhowe	Harrison	Oliver	Saunders
Dooley	Healy	Olson	Slemmons
Elliott	Huff	Orr	Ulstad
Fackler	King	Patterson	Wilson
Frahm	Lake	Potts	Wolfe
Garber of Adair	Leonard	Ramsey	Yenter—38
Gesman	Lovrien		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Vincent of Guthrie, House File No. 77, a bill for an act to amend, revise, and codify sections sixty-three hundred fifty-five (6355) to sixty-three hundred ninety-seven (6397), inclusive, and sixty-four hundred (6400) to sixty-four hundred five (6405), inclusive, of the compiled code of Iowa, relating to conveyances, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend section 53 by inserting immediately after the title the following:

"Said index book shall be ruled and headed substantially after the following form:"

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

On the question "Shall the House concur?"

The ayes were:

Aiken	Diltz	Hauge	Miller
Anderson of Webster	Doolittle	Held	Moen
Berry	Dotts	Hempel	Napier
Blake	Edge	Henderson	Natvig
Blume	Edson	Himebauch	Noble
Bradley	Forsling	Hollis	Oliver
Brady	Frahm	Johnson	Ontjes
Brittain	Gallagher	Knutson	Orr
Buffington	Garber of Floyd	Letts	Parsons
Children	Gilbert	Lichty	Patterson
Clark	Gilbertson	Lieberknecht	Peterson
Cole	Grimwood	Long	Powers
Criswell	Hansen	Mathews	Quirk
	Hattendorf	Matthiesen	Rankin

Rassler	Scott of	Stock	Vincent
Rewoldt	Appanoose	Stookesberry	Wamstad
Robson	Stemmons	Storey	Weber
Rust	Smith of	Strippel	Williams
Schulte	Chickasaw	Ulstad	Wolfe
Scott of Fremont	Smith of Lucas	Venard	Mr. Speaker—77

The nays were, none.

Absent or not voting:

Carter	Gesman	Lake	Rhinehart
Colbert	Gibson	Leonard	Rumley
Dewar	Gilmore	Lovrien	Sampson
Donhowe	Graham	McClune	Saunders
Dooley	Harrison	O'Donnell	Schirmer
Elliott	Healy	Olson	Wilson
Fackler	Huff	Potts	Yenter—31
Garber of Adair	King	Ramsey	

The House concurred in the Senate amendments to House File No. 77.

On request of Edson of Buena Vista, House File No. 100, a bill for an act to amend, revise, and codify sections twenty-five hundred eight (2508), twenty-five hundred nine (2509), twenty-five hundred fifteen (2515) to twenty-five hundred seventeen (2517), inclusive, and twenty-five hundred twenty-six (2526) to twenty-five hundred thirty-four (2534), inclusive, of the compiled code of Iowa, and sections twenty-five hundred twenty-four-a one (2524-a1) to twenty-five hundred twenty-four-a forty (2524-a40), inclusive, and twenty-five hundred twenty-five (2525) of the supplement to said code, relating to education, with Senate amendments, found in the House Journal of March 21st, was taken up for further consideration.

Mr. Edson moved that the House concur in the Senate amendment inserting section 11-a1.

On the question "Shall the House concur?"

The ayes were:

Aiken	Buffington	Edge	Hansen
Anderson of	Carter	Edson	Hattendorf
Webster	Children	Forsling	Hempel
Berry	Clark	Frahm	Henderson
Blake	Cole	Gallagher	Himebauch
Blume	Crisswell	Garber of Floyd	Hollis
Bradley	Diltz	Gilbert	Johnson
Brady	Doolittle	Gilbertson	Letts
Brittain	Dotts	Grimwood	Lichty

Lieberknecht	Parsons	Sampson	Stookesberry
Long	Patterson	Schirmer	Storey
Mathews	Peterson	Schulte	Strippel
Matthiesen	Powers	Scott of	Ulstad
Miller	Quirk	Appanoose	Venard
Moen	Rankin	Scott of Fremont	Wamstad
Napier	Rassler	Slemmons	Weber
Natvig	Rewoldt	Smith of	Williams
Noble	Rhinehart	Chickasaw	Wolfe
Oliver	Robson	Smith of Lucas	Mr. Speaker—76
Ontjes	Rust	Stock	

The nays were, none.

Absent or not voting:

Colbert	Gibson	King	Orr
Dewar	Gilmore	Knutson	Potts
Donhowe	Graham	Lake	Ramsey
Dooley	Harrison	Leonard	Rumley
Elliott	Hauge	Lovrien	Saunders
Fackler	Healy	McClune	Vincent
Garber of Adair	Held	O'Donnell	Wilson
Gesman	Huff	Olson	Yenter—32

The House concurred in the Senate amendment inserting section 11-a1 to House File No. 100.

Mr. Edson moved that the House concur in the remaining Senate amendments to House File No. 100 with the exception of Senate amendment to section 44-a.

On the question "Shall the House concur?"

The ayes were:

Aiken	Edge	Mathews	Schulte
Anderson of	Edson	Matthiesen	Scott of
Webster	Forsling	Moen	Appanoose
Berry	Frahm	Napier	Scott of Fremont
Blake	Gallagher	Natvig	Slemmons
Blume	Garber of Floyd	Noble	Smith of
Bradley	Gilbertson	Oliver	Chickasaw
Brady	Grimwood	Ontjes	Smith of Lucas
Brittain	Hansen	Parsons	Stock
Buffington	Harrison	Peterson	Stookesberry
Carter	Henderson	Powers	Storey
Children	Himebauch	Quirk	Strippel
Clark	Hollis	Rankin	Ulstad
Colbert	Johnson	Rassler	Venard
Cole	King	Rewoldt	Weber
Criswell	Knutson	Robson	Williams
Diltz	Letts	Rust	Wolfe
Doolittle	Lichty	Sampson	Mr. Speaker—72
Dotts	Long	Schirmer	

The nays were:

## Absent or not voting:

Dewar	Gilmore	Leonard	Ramsey
Donhowe	Graham	Lieberknecht	Rhinehart
Dooley	Hattendorf	Lovrien	Rumley
Elliott	Hauge	McClune	Saunders
Fackler	Healy	Miller	Vincent
Garber of Adair	Held	O'Donnell	Wamstad
Gesman	Hempel	Olson	Wilson
Gibson	Huff	Patterson	Yenter—35
Gilbert	Lake	Potts	

The House concurred in all of the remaining Senate amendments to House File No. 100, except the amendment to section 44-a.

Edson of Buena Vista moved that the House concur in the Senate amendment to section 44-a of House File No. 100.

On the question "Shall the House concur?"

The ayes were:

Aiken	Gilbert	Matthiesen	Schirmer
Blake	Gilmore	Miller	Scott of Fremont
Blume	Grimwood	Moen	Slemmons
Bradley	Hansen	Natvig	Smith of
Brady	Hattendorf	Oliver	Chickasaw
Buffington	Held	Patterson	Stock
Carter	Hempel	Peterson	Storey
Clark	Henderson	Powers	Strippel
Colbert	Himebauch	Quirk	Venard
Cole	Hollis	Rankin	Vincent
Criswell	Johnson	Rassler	Wamstad
Diltz	King	Rhinehart	Weber
Doolittle	Knutson	Robson	Williams
Dotts	Lake	Rumley	Wolfe
Edson	Letts	Rust	Mr. Speaker—64
Forsling	Lichty	Sampson	
Gallagher	Lieberknecht		

The nays were:

Anderson of	Edge	Mathews	Parsons
Webster	Frahm	Napier	Rewoldt
Berry	Gilbertson	Noble	Smith of Lucas
Brittain	Harrison	Ontjes	Stookesberry
Children	Long	Orr	U'lstad—19

Absent or not voting:

Dewar	Gesman	Lovrien	Saunders
Donhowe	Gibson	McClune	Schulte
Dooley	Graham	O'Donnell	Scott of
Elliott	Hauge	Olson	Appanoose
Fackler	Healy	Potts	Wilson
Garber of Adair	Huff	Ramsey	Yenter—25
Garber of Floyd	Leonard		

The House concurred in the Senate amendment to section 44-a of House File No. 100.

Lieberknecht	Parsons	Sampson	Stookesberry
Long	Patterson	Schirmer	Storey
Mathews	Peterson	Schulte	Strippel
Matthiesen	Powers	Scott of	Ulstad
Miller	Quirk	Appanoose	Venard
Moen	Rankin	Scott of Fremont	Wamstad
Napier	Rassler	Slemmons	Weber
Natvig	Rewoldt	Smith of	Williams
Noble	Rhinehart	Chickasaw	Wolfe
Oliver	Robson	Smith of Lucas	Mr. Speaker—76
Ontjes	Rust	Stock	

The nays were, none.

Absent or not voting:

Colbert	Gibson	King	Orr
Dewar	Gilmore	Knutson	Potts
Donhowe	Graham	Lake	Ramsey
Dooley	Harrison	Leonard	Rumley
Elliott	Hauge	Lovrien	Saunders
Fackler	Healy	McClune	Vincent
Garber of Adair	Held	O'Donnell	Wilson
Gesman	Huff	Olson	Yenter—32

The House concurred in the Senate amendment inserting section 11-a1 to House File No. 100.

Mr. Edson moved that the House concur in the remaining Senate amendments to House File No. 100 with the exception of Senate amendment to section 44-a.

On the question "Shall the House concur?"

The ayes were:

Aiken	Edge	Mathews	Schulte
Anderson of	Edson	Matthiesen	Scott of
Webster	Forsling	Moen	Appanoose
Berry	Frahm	Napier	Scott of Fremont
Blake	Gallagher	Natvig	Slemmons
Blume	Garber of Floyd	Noble	Smith of
Bradley	Gilbertson	Oliver	Chickasaw
Brady	Grimwood	Ontjes	Smith of Lucas
Brittain	Hansen	Parsons	Stock
Buffington	Harrison	Peterson	Stookesberry
Carter	Henderson	Powers	Storey
Children	Himebauch	Quirk	Strippel
Clark	Hollis	Rankin	Ulstad
Colbert	Johnson	Rassler	Venard
Cole	King	Rewoldt	Weber
Criswell	Knutson	Robson	Williams
Diltz	Letts	Rust	Wolfe
Doolittle	Lichty	Sampson	Mr. Speaker—72
Dotts	Long	Schirmer	

The nays were:

Orr—1

## Absent or not voting:

Dewar	Gilmore	Leonard	Ramsey
Donhowe	Graham	Lieberknecht	Rhinehart
Dooley	Hattendorf	Lovrien	Rumey
Elliott	Hauge	McClune	Saunders
Fackler	Healy	Miller	Vincent
Garber of Adair	Held	O'Donnell	Wamstad
Gesman	Hempel	Olson	Wilson
Gibson	Huff	Patterson	Yenter—35
Gilbert	Lake	Potts	

The House concurred in all of the remaining Senate amendments to House File No. 100, except the amendment to section 44-a.

Edson of Buena Vista moved that the House concur in the Senate amendment to section 44-a of House File No. 100.

On the question "Shall the House concur?"

The ayes were:

Aiken	Gilbert	Matthiesen	Schirmer
Blake	Gilmore	Miller	Scott of Fremont
Blume	Grimwood	Moen	Slemmons
Bradley	Hansen	Natvig	Smith of
Brady	Hattendorf	Oliver	Chickasaw
Buffington	Held	Patterson	Stock
Carter	Hempel	Peterson	Storey
Clark	Henderson	Powers	Strippel
Colbert	Himebauch	Quirk	Venard
Cole	Hollis	Rankin	Vincent
Criswell	Johnson	Rassler	Wamstad
Diltz	King	Rhinehart	Weber
Doolittle	Knutson	Robson	Williams
Dotts	Lake	Rumley	Wolfe
Edson	Letts	Rust	Mr. Speaker—64
Forsling	Lichty	Sampson	
Gallagher	Lieberknecht		

The nays were:

Anderson of	Edge	Mathews	Parsons
Webster	Frahm	Napier	Rewoldt
Berry	Gilbertson	Noble	Smith of Lucas
Brittain	Harrison	Ontjes	Stookesberry
Children	Long	Orr	W'lstad—19

Absent or not voting:

Dewar	Gesman	Lovrien	Saunders
Donhowe	Gibson	McClune	Schulte
Dooley	Graham	O'Donnell	Scott of
Elliott	Hauge	Olson	Appanoose
Fackler	Healy	Potts	Wilson
Garber of Adair	Huff	Ramsey	Yenter—25
Garber of Floyd	Leonard		

The House concurred in the Senate amendment to section 44-a of House File No. 100.

On request of Rankin of Lee, House File No. 57, a bill for an act to amend, revise, and codify sections twelve hundred four (1204) to twelve hundred seven (1207), inclusive, and twelve hundred nine (1209) of the compiled code of Iowa, relating to lost property, with Senate amendments, was taken up and the amendments read and considered.

## SENATE AMENDMENTS

Amend by striking from line two (2) of section four (4) the following words: "goods, money, bank notes or other things", and substituting in lieu thereof the following: "money, bank notes, and a description of any other property".

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

On the question "Shall the House concur?"

The ayes were:

Blake	Gilbert	Mathews	Rust
Blume	Grimwood	Matthiesen	Sampson
Bradley	Hansen	Miller	Schirmer
Brady	Harrison	Moen	Schulte
Brittain	Hattendorf	Napier	Slemmons
Buffington	Healy	Natvig	Smith of
Carter	Held	Noble	Chickasaw
Children	Hempel	Ontjes	Smith of Lucas
Clark	Henderson	Parsons	Stock
Colbert	Himebauch	Patterson	Stookesberry
Cole	Hollis	Peterson	Strippel
Criswell	Johnson	Powers	Ulstad
Diltz	King	Quirk	Wamstad
Doolittle	Knutson	Rankin	Weber
Dotts	Lake	Rewoldt	Williams
Edge	Letts	Rhinehart	Wolfe
Edson	Lichty	Robson	Mr. Speaker—72
Forsling	Lieberknecht	Rumley	
Gallagher	Long		

The nays were, none.

Absent or not voting:

Aiken	Garber of Adair	Lovrien	Saunders
Anderson of	Garber of Floyd	McClune	Scott of
Webster	Gesman	O'Donnell	Appanoose
Berry	Gibson	Oliver	Scott of Fremont
Dewar	Gilbertson	Olson	Storey
Donhowe	Gilmore	Orr	Venard
Dooley	Graham	Potts	Vincent
Elliott	Hauge	Ramsey	Wilson
Fackler	Huff	Rassler	Yenter—36
Frahm	Leonard		

The House concurred in the Senate amendments to House File No. 57.

On request of Rankin of Lee, House File No. 196, a bill for an act to amend, revise, and codify sections fifty-one hundred seventy-three (5173) and fifty-one hundred seventy-six (5176) of the compiled code of Iowa, and section fifty hundred nineteen (5019) of the supplement to said code, relating to regulation of carriers and definition of terms, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Strike out all of section 1 and insert in lieu thereof the following:

"The provisions of this chapter shall apply to the transportation of passengers and property, and to the receiving, delivering, storing and handling of property wholly within this state, and shall apply to all railroad corporations, express companies, car companies, sleeping car companies, freight or freight line companies, and to any common carrier engaged in this state in the transportation of passengers or property by railroad therein, and to shipments of property made from any point within the state to any point within the state, whether the transportation of the same shall be wholly within this state or partly within this state and partly within an adjoining state."

Strike the words "and means" in line 6 of section 6.

Insert the words "or carrier" after the word "railroad" in line 9 of section 5.

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Forsling	Matthiesen	Rumley
Webster	Gallagher	Miller	Rust
Berry	Grimwood	Moen	Sampson
Blume	Harrison	Napier	Schirmer
Bradley	Hattendorf	Natvig	Slemmons
Brady	Healy	Noble	Smith of
Brittain	Hempel	Oliver	Chickasaw
Buffington	Henderson	Ontjes	Smith of Lucas
Carter	Hollis	Parsons	Stock
Children	Johnson	Patterson	Stookesberry
Clark	King	Peterson	Strippel
Colbert	Knutson	Powers	Ulstad
Cole	Lake	Quirk	Wamstad
Criswell	Letts	Rankin	Weber
Diltz	Lichty	Rewoldt	Williams
Dotts	Lieberknecht	Rhinehart	Wolfe
Edge	Long	Robson	Mr. Speaker—68
Edson	Mathews		

The nays were, none.

Absent or not voting:

Aiken	Gesman	Huff	Saunders
Blake	Gibson	Leonard	Schulte
Dewar	Gilbert	Lovrien	Scott of
Donhowe	Gilbertson	McClune	Appanoose
Dooley	Gilmore	O'Donnell	Scott of Fremont
Doolittle	Graham	Olson	Storey
Elliott	Hansen	Orr	Venard
Fackler	Hauge	Potts	Vincent
Frahm	Held	Ramsey	Wilson
Garber of Adair	Himebauch	Rassler	Yenter—40
Garber of Floyd			

The House concurred in the Senate amendments to House File No. 196.

On request of Clark of Linn, House File No. 266, a bill for an act to amend, revise, and codify chapters six (6) and seven (7) of title twenty-eight (28) of the compiled code of Iowa, and of the supplement to said code, and sections seventy-four hundred eighty-three (7483), ninety-three hundred (9300), and ninety-four hundred twenty-one (9421) of the compiled code of Iowa, relating to jurors, with Senate amendments, found in the House Journal of March 21st, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Aiken	Edson	Long	Rumley
Anderson of	Forsling	Mathews	Rust
Webster	Gallagher	Matthiesen	Sampson
Berry	Grimwood	Moen	Schirmer
Blake	Hansen	Napier	Schulte
Blume	Harrison	Natvig	Slemmons
Bradley	Hattendorf	Noble	Smith of
Brady	Healy	Oliver	Chickasaw
Brittain	Held	Ontjes	Smith of Lucas
Buffington	Hempel	Parsons	Stock
Carter	Henderson	Patterson	Stookesberry
Children	Hollis	Peterson	Strippel
Clark	Johnson	Powers	Ulstad
Colbert	King	Quirk	Vincent
Cole	Knutson	Rankin	Wamstad
Criswell	Letts	Rewoldt	Weber
Diltz	Lichty	Rhinehart	Wolfe
Dotts	Lieberknecht	Robson	Mr. Speaker—71
Edge			

The nays were, none.

## Absent or not voting:

Dewar	Gibson	Lovrien	Saunders
Donhowe	Gilbert	McClune	Scott of
Dooley	Gilbertson	Miller	Appanoose
Doolittle	Gilmore	O'Donnell	Scott of Fremont
Elliott	Graham	Olson	Storey
Fackler	Hauge	Orr	Venard
Frahm	Himebauch	Potts	Williams
Garber of Adair	Huff	Ramsey	Wilson
Garber of Floyd	Lake	Rassler	Yenter—37
Gesman	Leonard		

The House concurred in the Senate amendments to House File No. 266.

## HOUSE CONCURRENT RESOLUTION NO. 14

Ontjes of Grundy, from the committee on rules, offered the following concurrent resolution:

*Resolved by the House, the Senate Concurring:* That the joint rules of the special session of the Fortieth General Assembly be amended as follows:

Amend Joint Rule No. 1 by inserting the following sentence after the word "insist" in line thirteen (13): "If a motion to recede fails of a constitutional majority, such action shall be deemed as insisting on the amendments and shall be so entered upon the Journal of the House."

Further amend by inserting the following after the comma (,) in line fifteen (15): "and such negative vote is equal to a constitutional majority,".

Laid over under rule 34.

## SPECIAL ORDER MADE

On request of Hauge of Polk, unanimous consent having been obtained, Senate File No. 290 was made a special order for Wednesday, March 26th, at 11:00 a. m.

## AMENDMENTS FILED

Anderson of Webster filed the following amendments to House File No. 277:

Amend House File No. 277 by striking out the word "ten" in line two (2) of section 43 and inserting in lieu thereof the word "eight".

Also amend by striking out the word "four" in line three (3) of section 195 and inserting in lieu thereof the words "two and one-half".

Also amend by striking out the word "fourteen" in line four (4) of section 195 and inserting in lieu thereof the word "nine".

On motion of Dotts of Wayne the House adjourned until 9:00 a. m. Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 25, 1924.

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

Prayer was offered by the Rev. C. C. Dillavau, pastor of Castle Memorial United Brethren church, Des Moines.

Journal of March 24th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Blume of Crawford for the forenoon, on request of Miller of Shelby; Garber of Adair for the day, on request of Vincent of Guthrie; Yenter of Johnson for the day, on request of Clark of Linn; Saunders of Palo Alto for the day, on request of Patterson of Kossuth; Elliott of Scott for the remainder of the week, on request of Hansen of Scott.

## REPORT OF COMMITTEE

Carter of Hardin, from the committee on schools and textbooks, submitted the following report:

MR. SPEAKER: Your committee on schools and textbooks to whom was referred House File No. 115, a bill for an act to amend, revise, and codify chapter thirty-seven (37) of title ten (10) of the compiled code of Iowa, and of the supplement to said code, 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 do pass.

L. V. CARTER, *Chairman.*

Report 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:

Substitute for House File No. 42, a bill for an act relating to employers' liability and workmen's compensation.

Also, that the Senate has concurred in the House amendments to Senate File No. 91, a bill for an act relating to the state university and the work of the bacteriological laboratory therein.

LEON W. AINSWORTH, *Secretary.*

#### SPECIAL ORDER MADE

On request of Bradley of Poweshiek, unanimous consent having been obtained, the time of Special Order No. 2, Senate File No. 283, was changed from Tuesday, March 25th at 10:30 a. m., to Wednesday, March 26th at 9:30 a. m.

#### CONCURRENT RESOLUTION CONSIDERED

House Concurrent Resolution No. 14, found in the Journal of March 24th, was taken up and considered.

On motion of Ontjes of Grundy the concurrent resolution was adopted.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Grimwood of Jones, House File No. 261-A, a bill for an act to amend, revise, and codify sections fourteen hundred twenty-four (1424), fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, eighty-eight hundred fifty-two (8852), eighty-eight hundred sixty-four (8864), eighty-eight hundred sixty-five (8865), and chapter fifteen (15) of title six (6) of the compiled code of Iowa; and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432), and chapter fourteen-A (14-A) of title six (6) of the supplement to the compiled code of Iowa, relating to drugs, poisons, narcotics, and abortifacients, with Senate amendments, found in the House Journal of March 24th, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Aiken  
Anderson of  
Webster

Berry  
Blake  
Brady

Brittain  
Buffington  
Carter

Children  
Colbert  
Cole

Criswell	Hollis	Orr	Smith of
Dooley	Johnson	Parsons	Chickasaw
Dotts	King	Patterson	Smith of Lucas
Edge	Knutson	Peterson	Stock
Edson	Letts	Powers	Stookesberry
Forsling	Lichty	Quirk	Storey
Gallagher	Lieberknecht	Ramsey	Strippel
Gesman	Long	Rassler	Ulstad
Gibson	Mathews	Rhinehart	Venard
Gilbert	Matthiesen	Robson	Wamstad
Gilbertson	Miller	Rust	Weber
Graham	Napier	Sampson	Williams
Grimwood	Natvig	Schirmer	Wilson
Hattendorf	Noble	Schulte	Wolfe
Healy	O'Donnell	Scott of	Mr. Speaker—78
Held	Oliver	Appanoose	
Hempel	Olson	Scott of Fremont	
Henderson	Ontjes	Slemmons	

The nays were, none.

Absent or not voting:

Blume	Fackler	Himebauch	Potts
Bradley	Frahm	Huff	Rankin
Clark	Garber of Adair	Lake	Rewoldt
Dewar	Garber of Floyd	Leonard	Rumley
Diltz	Gilmore	Lovrien	Saunders
Donhowe	Hansen	McClune	Vincent
Doolittle	Harrison	Moen	Yenter—30
Elliott	Hänge		

The House concurred in the Senate amendments to House File No. 261-A.

#### HOUSE INSISTS UPON AMENDMENTS

Graham of Wapello moved that the House insist upon its amendments to Senate File No. 27.

Motion prevailed.

#### SPECIAL ORDER MADE

On request of McClune of Mahaska, unanimous consent having been obtained, House File No. 277 was made a special order for Thursday, March 27th at 11:00 a. m.

#### APPOINTMENT OF CONFERENCE COMMITTEE

As a conference committee on Senate File No. 27, the Speaker appointed the following members on the part of the House: Aiken of Ida, Carter of Hardin, Noble of Muscatine and Scott of Fremont.

CONSIDERATION OF BILLS  
SPECIAL ORDER NO. 1

House File No. 114, a bill for an act to amend, revise, and codify sections two thousand seven hundred twenty-eight (2728) to two thousand seven hundred thirty-eight (2738), inclusive, two thousand seven hundred forty-six (2746), two thousand seven hundred forty-seven (2747), two thousand seven hundred forty-nine (2749) to two thousand seven hundred fifty-three (2753), inclusive, two thousand seven hundred fifty-six (2756) to two thousand seven hundred sixty-four (2764), inclusive, two thousand seven hundred sixty-seven (2767), and two thousand seven hundred sixty-eight (2768) of the compiled code of Iowa, and section two thousand seven hundred forty-eight (2748) of the supplement to said code, relating to education, with report of committee on state educational institutions recommending amendment and passage, was taken up for consideration.

Doolittle of Delaware offered the following amendment as a substitute for all pending amendments to House File No. 114:

Amend House File No. 114 by striking out all of sections one (1) to fourteen (14), inclusive, including the subenacting clause preceding section one (1).

By unanimous consent House File No. 114 was rereferred to the committee on state educational institutions.

Senate File No. 169, a bill for an act to amend, revise, and codify sections three thousand eight hundred thirty-five (3835), three thousand eight hundred forty-four (3844), three thousand eight hundred fifty (3850) to three thousand eight hundred sixty (3860), inclusive, three thousand eight hundred seventy-three (3873) to three thousand eight hundred seventy-seven (3877), inclusive, three thousand eight hundred seventy-nine (3879) to three thousand eight hundred eighty-eight (3888), inclusive, three thousand eight hundred ninety (3890) to three thousand eight hundred ninety-six (3896), inclusive, three thousand eight hundred ninety-eight (3898) to three thousand nine hundred two (3902), inclusive, three thousand nine hundred four (3904), three thousand nine hundred six (3906), three thousand nine hundred seven (3907), three thousand nine hundred ten (3910), three thousand nine hundred eleven (3911), three thousand nine hundred sixteen (3916), three thousand nine hundred twenty (3920)

to three thousand nine hundred twenty-five (3925), inclusive, three thousand nine hundred twenty-seven (3927), and three thousand nine hundred twenty-eight (3928) of the compiled code of Iowa, and sections three thousand eight hundred forty-nine (3849), three thousand eight hundred seventy-eight (3878), three thousand eight hundred eighty-seven-a one (3887-a1), three thousand eight hundred eighty-nine (3889), three thousand nine hundred three (3903), three thousand nine hundred twelve (3912) to three thousand nine hundred fifteen (3915), inclusive, three thousand nine hundred seventeen (3917) to three thousand nine hundred nineteen (3919), inclusive, three thousand nine hundred twenty-two-a one (3922-a1) to three thousand nine hundred twenty-two-a five (3922-a5), inclusive, and three thousand nine hundred twenty-six (3926) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of March 21st, were taken up and considered.

On motion of Blake of Fayette committee amendments Nos. one (1) and two (2) were adopted.

Doolittle of Delaware offered the following amendments to committee amendment No. 3 and moved their adoption:

Amend committee amendment No. 3 to Senate File No. 169 by striking from line four (4) thereof the word "entire"; also amend by inserting after the word "council" the words "present at such meeting"; also amend by inserting after the word "the" in line six (6) thereof the words "owners of"; also amend line six (6) thereof by striking out the words "owners of".

O'Donnell of Dubuque moved that further action on Senate File No. 169 be deferred.

Motion lost.

A division of the amendments offered by Doolittle of Delaware was asked for.

On the question "Shall the amendments by Doolittle of Delaware to line four (4) of committee amendment No. 3 be adopted?" a roll call was demanded.

## The ayes were:

Cole	Hansen	Ramsey	Slemmons
Diltz	Hollis	Robson	Smith of
Doolittle	Knutson	Rust	Chickasaw
Gallagher	Lovrien	Schirmer	Weber—18
Grimwood	O'Donnell	Scott of Fremont	

## The nays were:

Anderson of	Forsling	Long	Rassler
Webster	Frahm	McClune	Rhinehart
Berry	Gesman	Mathews	Schulte
Blake	Gibson	Matthiesen	Scott of
Bradley	Gilbertson	Napier	Appanoose
Brittain	Gilmore	Natvig	Smith of Lucas
Buffington	Hattendorf	Noble	Stock
Carter	Held	Oliver	Stookesberry
Children	Hempel	Olson	Storey
Clark	Henderson	Ontjes	Strippel
Colbert	Himebauch	Orr	Venard
Criswell	Johnson	Parsons	Wamstad
Dooley	Letts	Patterson	Wilson
Dotts	Lichty	Peterson	Wolfe
Edson	Lieberknecht	Powers	Mr. Speaker—58

## Absent or not voting:

Aiken	Garber of Adair	King	Rewoldt
Blume	Garber of Floyd	Lake	Rumley
Brady	Gilbert	Leonard	Sampson
Dewar	Graham	Miller	Saunders
Donhowe	Harrison	Moen	U'lstad
Edge	Hauge	Potts	Vincent
Elliott	Healy	Quirk	Williams
Fackler	Huff	Rankin	Yenter—32

The amendments by Doolittle of Delaware to line four (4) of committee amendment No. 3 were rejected.

By unanimous consent the remaining amendments offered by Doolittle of Delaware to committee amendment No. 3 were withdrawn.

Edson of Buena Vista offered the following amendment to committee amendment No. 3:

Amend committee amendment No. 3 to Senate File No. 169 by striking therefrom the words "owners of" in line six (6) and inserting in lieu thereof the following: "at least sixty per cent (60%) of the property owners owning at least".

On motion of Mr. Edson the amendment to committee amendment No. 3 was adopted.

On request of Forsling of Woodbury, unanimous consent having been obtained, further action on committee amendment No. 3 was deferred.

On motion of Blake of Fayette committee amendments Nos. 4 to 10, inclusive, were adopted.

Clark of Linn offered the following amendment to committee amendment No. 11 and moved its adoption:

An end committee amendment No. 11 to Senate File No. 169 by inserting after the word "matured" in line three (3) thereof the words "if a waiver had been filed".

Amendment to committee amendment No. 11 was adopted.

On motion of Blake of Fayette committee amendment No. 11, as amended, was adopted.

Hansen of Scott offered the following amendment to committee amendment No. 3 and moved its adoption:

Amend committee amendment No. 3 to Senate File No. 169 by striking out of line two (2) thereof following the word "following" the words "In cities of five thousand (5000) or less."

Amendment to committee amendment No. 3 was adopted.

Parsons of Calhoun offered the following amendment to committee amendment No. 3 and moved its adoption:

Amend committee amendment No. 3 to Senate File No. 169 by striking out of lines three (3) and four (4) thereof the words "except by unanimous vote of the entire council".

Amendment rejected.

On motion of Blake of Fayette committee amendment No. 3, as amended, was adopted.

On motion of Hauge of Polk the House adjourned until 2:30 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### REPORTS OF COMMITTEES

Healy of Hancock, 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. 114, a bill for an act to amend, revise and codify sections two thousand seven hundred twenty-eight (2728) to

two thousand seven hundred thirty-eight (2738), inclusive, two thousand seven hundred forty-six (2746) two thousand seven hundred forty-seven (2747), two thousand seven hundred forty-nine (2749) to two thousand seven hundred fifty-three (2753), inclusive, two thousand seven hundred fifty-six (2756) to two thousand seven hundred sixty-four (2764), inclusive, two thousand seven hundred sixty-seven (2767), and two thousand seven hundred sixty-eight (2768) of the compiled code of Iowa, and section two thousand seven hundred forty-eight (2748) of the supplement to said code, 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 as follows, and when so amended the bill do pass:

(1) Amend section 1 by inserting after the words "medical section" in line two (2) the following: "and economics and sociological section".

(2) Strike from line one (1) of section 6 the words "a law librarian".

(3) Insert after subsection three (3) of section 7 as subsection 3-a1, the following: "Law librarian. Appoint an expert law librarian who shall have charge of the law library, including the legislative reference bureau thereof."

(4) Amend by inserting after subsection 4 of section 7 the following: "4-a1. Economics and sociology. Appoint an expert trained in economics and sociology, who shall have charge of the section on economics and sociology."

(5) Amend by striking out all of section 10 and the amendments thereto.

E. P. HEALY, *Chairman*.

Report adopted.

Gilbert of Marshall, from the committee on code revision, submitted the following report:

MR. SPEAKER: Your committee on code revision to whom was referred House File No. 289, a bill for an act to amend, revise, and codify chapters five (5) and six (6) of title one (1) and section fifty-eight (58) of the compiled code of Iowa and sections forty-three-a one (43-a1), forty-three-a two (43-a2), forty-three-a five (43-a5), forty-three-a six (43-a6), fifty-seven-a one (57-a1) to fifty-seven-a three (57-a3), inclusive, fifty-nine (59), sixty (60), one hundred seventy-five-a four (175-a4) to one hundred seventy-five-a nine (175-a9), inclusive, one hundred seventy-five-a twelve (175-a12), one hundred seventy-five-a thirteen (175-a13), and two hundred forty-one-a thirty-eight (241-a38) of the supplement to said code, relating to the preparation, publication, use, custody, sale, and distribution of the laws of the state and of other publications of a legal nature, and to the powers and duties of the reporter of the supreme court, state printing board, superintendent of printing, and other public officers, with reference to such laws and publications, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

(1) Amend section 1 by striking from lines 5 and 6 the words "with the lines of each section numbered consecutively" and insert the word "solid" after the word "type" in line 5.

(2) Amend section 1 by striking from subsection three (3) the following: "The number shall be indicated by taking the chapter number as a whole number followed by a decimal indicating the position of the section in the chapter."

(3) Amend subsection 6 of section 1 by striking this subsection from the bill.

(4) Amend by striking subsection 7 of section one (1) from the bill and insert in lieu thereof the following:

"The code provided for herein shall include, in addition to the permanent statutes of the state:

(a) A table of corresponding sections of prior codes including the compiled code and supplement to the compiled code.

(b) An analysis of the code by titles and chapters.

(c) Declaration of Independence.

(d) Articles of Confederation.

(e) The constitution of the United States.

(f) Laws of the United States as to citizenship and naturalization and those relating to the authentication of records.

(g) The act admitting into the union as a state.

(h) The constitution of Iowa.

(i) A list of the topics included therein at the head of each chapter.

(j) The rules of the supreme court.

(k) An index covering all matters included in the code."

(5) Amend section 1 by striking out all of line 26 and inserting the following in lieu thereof:

"8. The code shall be bound in a good grade of buckram to specifications to be determined by the state printing board."

(6) Amend section two (2) by striking out all of subsection two (2) thereof and insert in lieu thereof the words: "To correct all manifest grammatical and clerical errors and attend to its proper punctuation but shall not change the meaning thereby."

(7) Amend section two (2) by adding at the beginning of subsection three (3) the words "To transpose sections or" and by adding after the word "number" the following "but without changing the meaning".

(8) Amend section two (2) by striking out lines 8 and 9.

(9) Amend by inserting after section three (3) the following:

"Sec. 3-a1. Before the adjournment of the extra session of the Fortieth General Assembly, the president of the senate shall appoint two members of the senate and the speaker of the house shall appoint three members of the house, who shall constitute a code supervising committee, which committee shall have general supervision and oversight of the work of editing

the code and the work of the code editor in preparing the code for publication.

The code supervising committee shall meet with the code editor at his office at the state house at such times as, in their judgment, may be necessary to properly supervise the work of the code editor, and to aid the code editor in the proper and expeditious work of preparing the code in compliance with the provisions of this act.

The members of the code supervising committee shall be paid their actual and necessary expenses in the performance of their duties, as provided for herein."

(10) Amend by striking from line 3 of section nine (9) the figures "100" and insert in lieu thereof the figures "125".

(11) Amend by striking subsection 12 of section 9 and insert in lieu thereof the following:

"12. To each member of the present and subsequent general assemblies.....1 copy".

(12) Amend by adding at the end of section nine (9) the following:

"16. To the clerk of the district court, the county auditor, the county recorder, the county treasurer, the sheriff and the county superintendent of each county in the state, to the clerk of each superior or municipal court in the state and for use in each court room of the district, superior or municipal court, one (1) volume each.

17. To the mayor of each city or town in the state on written request, one (1) volume each, and to each justice of the peace, who has qualified as such, one (1) volume on written request.

18. To all public libraries and accredited colleges of the state one (1) volume each."

(13) Amend section ten (10) by adding in line two (2) after the word "such" the word "additional".

(14) Amend section 15, line 2, by striking out the words "since and including volume 190".

(15) Amend section seventeen (17) by striking from lines three (3) and four (4) the words ", and all other publications of such statutes are prohibited except as provided in the following section".

(16) Amend section 19, lines 4 and 5, by striking out all after the word "thereof".

(17) Amend by inserting following line three (3) in section twenty-three (23) the following: "A majority of the judges of the supreme court may prescribe a different standard volume."

(18) Amend section twenty-four (24) by adding in line eleven (11) after the word "state" the word "law" and by striking the figures "75" and inserting the figures "90".

(19) Amend section twenty-seven (27) by adding at the end of the section the following: "All references shall be expressed in words followed by the numerals in parenthesis (), and if omitted the reporter of the supreme court preparing acts for publication in the session laws shall supply the same."

(20) Amend section twenty-eight (28) by striking therefrom the words "statutes herein repealed" and inserting the words "laws heretofore in force".

(21) Insert after section 29 the following:

"Sec. 29-a1. There is hereby appropriated out of any money in the treasury not otherwise appropriated an amount sufficient to defray all expenses incurred in the carrying out of the provisions of this act."

F. B. GILBERT, *Chairman.*

Report adopted.

#### INTRODUCTION OF BILLS

House File No. 307, by Rankin of Lee, a bill for an act to legalize the consolidation of the Keokuk & Hamilton Mississippi River Bridge Company with the Hancock County Bridge Company and the amendment and renewal of the articles of consolidation of the consolidated company for a term of fifty (50) years, beginning August first, nineteen hundred eighteen (1918).

Read first and second times and referred to committee on judiciary.

House File No. 308, by Graham of Wapello, a bill for an act to legalize the acts and proceedings of the board of supervisors and other officers of the county of Wapello, in the state of Iowa, in relation to Cedar Creek drainage district number four, Wapello county, Iowa.

Read first and second times and referred to committee on judiciary.

#### PROOF OF PUBLICATION OF HOUSE FILE NO. 308

The official proof of publication of House File No. 308, a proposed bill for the legalization of the acts and proceedings of the board of supervisors and other officers of the county of Wapello, in the state of Iowa, in relation to Cedar Creek Drainage District number four, Wapello county, Iowa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

#### 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. 45, a bill for an act relating to fire escapes and means of escape from fire.

LEON W. AINSWORTH, *Secretary.*

#### SENATE MESSAGE CONSIDERED

Senate File No. 45, a bill for an act to amend, revise, and codify chapter twelve (12) of title five (5) of the compiled code of Iowa, and section ten hundred sixty-four (1064) of the supplement to said code, relating to fire escapes and means of escape from fire.

Read first and second times.

Blake of Fayette moved that the bill be referred to the committee on labor.

The motion having received a two-thirds vote, prevailed.

#### BUSINESS PENDING

The House resumed consideration of Senate File No. 169.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend section fourteen (14) of Senate File No. 169 by striking all in the first line thereof to and including the word "shall" and by inserting in lieu thereof the following: "When the district method of assessment is adopted the council shall, and in all other cases the council may".

Amendment adopted.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend Senate File No. 169 by striking out all of section 69 and inserting in lieu thereof the following:

"Sec. 69. Right to installment after appeal.

When any special assessment has been reduced on appeal, the property owner may, within twenty (20) days after final determination of the appeal, pay an amount equal to the installments which would have matured under the revised assessment if a waiver had been filed together with interest on the entire revised assessment from the date of the original levy and shall be entitled to pay the remaining installments as provided in section forty-one (41) of this chapter."

Amendment adopted.

Diltz of Polk offered the following amendment and moved its adoption:

Amend Senate File No. 169 by striking all of section 41 and inserting in lieu thereof the following:

"Unless the owner of any lot or parcel of land, or railway, or street railway, the assessment against which is embraced in any bond or certificate provided for by law, shall, within thirty (30) days from the date of such assessment, file written objection of the legality or regularity of the assessment or levy of such tax upon and against his property, such owner shall be deemed to have waived objection on these grounds and to have agreed to pay said assessment with interest thereon at such rate, not exceeding six per cent (6%) per annum, as shall by resolution of the council be prescribed and such tax so levied shall be payable in ten (10) equal installments. The cost of oiling the streets may not be paid in installments."

Clark of Linn moved that further action on Senate File No. 169 be deferred.

Motion prevailed.

#### CONSIDERATION OF BILLS

House File No. 305, a bill for an act to amend section thirteen (13) of chapter ninety-seven (97) of the acts of the Fortieth General Assembly (S. C. C. 3081-a12), relating to the forfeiture of certificate of motor carriers and providing penalties for the violation of the statutes, rules and regulations promulgated thereunder, was taken up for consideration.

McClune of Mahaska asked unanimous consent to have action deferred on House File No. 305 and to have the bill made a special order for Friday, March 28th, at 9:30 a. m.

Objection was made.

Rewoldt of Bremer moved that action on House File No. 305 be deferred and that the bill be made a special order for Friday, March 28th, at 9:30 a. m.

Motion prevailed.

House File No. 182, a bill for an act to amend, revise, and codify sections four thousand two hundred ninety-nine (4299), four thousand three hundred six (4306), four thousand three hundred ten (4310), four thousand three hundred eighteen (4318), four thousand three hundred twenty (4320) to four thousand three hundred twenty-two (4322), inclusive, four thousand three hundred twenty-four (4324), four thousand three hundred twen-

ty-five (4325), four thousand three hundred twenty-seven (4327), four thousand three hundred thirty (4330), four thousand three hundred thirty-six (4336), four thousand three hundred thirty-five (4345), four thousand three hundred forty-six (4346), four thousand three hundred forty-eight (4348) to four thousand three hundred fifty (4350), inclusive, four thousand three hundred fifty-two (4352) to four thousand three hundred fifty-five (4355), inclusive, four thousand three hundred fifty-seven (4357), four thousand three hundred fifty-nine (4359) to four thousand three hundred sixty-seven (4367), inclusive, four thousand three hundred sixty-nine (4369), four thousand three hundred seventy-one (4371), four thousand three hundred seventy-nine (4379) to four thousand three hundred eighty-three (4383), inclusive, four thousand three hundred ninety-two (4392) to four thousand three hundred ninety-five (4395), inclusive, four thousand four hundred (4400) to four thousand four hundred two (4402), inclusive, four thousand four hundred four (4404), four thousand four hundred six (4406) to four thousand four hundred eight (4408), inclusive, four thousand four hundred ten (4410), four thousand four hundred twelve (4412) to four thousand four hundred fourteen (4414), inclusive, four thousand four hundred seventeen (4417), four thousand four hundred forty (4440) to four thousand four hundred forty-four (4444), inclusive, of the compiled code of Iowa, and sections four thousand three hundred twenty-three (4323), four thousand three hundred twenty-eight (4328), four thousand three hundred twenty-nine (4329), four thousand three hundred forty-seven (4347), four thousand three hundred fifty-one (4351), four thousand three hundred fifty-six (4356), four thousand three hundred fifty-eight (4358), four thousand three hundred seventy-eight (4378), four thousand three hundred ninety-four-a one (4394-a1), four thousand four hundred three (4403), four thousand four hundred nine (4409), four thousand four hundred forty-a one (4440-a1), four thousand four hundred sixty-eight (4468), and four thousand four hundred sixty-eight-a one (4468-a1) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

Forsling of Woodbury asked unanimous consent to have action deferred on House File No. 182.

Objection was made.

Forsling of Woodbury moved that action be deferred on House File No. 182.

Motion prevailed.

Senate File No. 25, a bill for an act to amend, revise, and codify chapter six (6) of title four (4) of the compiled code of Iowa and of the supplement to said code, and section thirty-four hundred forty-two (3442) of the compiled code of Iowa, and sections four hundred ninety-nine-a four (499-a4) and four hundred ninety-nine-a eleven (499-a11) of the supplement to said code, relating to the method of conducting elections, with report of committee recommending passage, was taken up for consideration.

Graham of Wapello moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

Parsons of Calhoun asked unanimous consent to offer an amendment to the bill at this time.

No objection being made, Mr. Parsons offered the following amendment and moved its adoption:

Amend Senate File No. 25, section 99-a1, by striking therefrom the last two (2) words in line three (3) thereof and all of lines four (4), five (5) and six (6).

Stookesberry of Davis moved the previous question on the amendment.

Motion prevailed.

On the question "Shall the amendment by Parsons of Calhoun be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Forsling Frahm	King Letts	Quirk Rewoldt
Berry	Gallagher	Mathews	Rhinehart
Blake	Garber of Adair	Miller	Robson
Brittain	Garber of Floyd	Moen	Schulte
Buffington	Gesman	Natvig	Scott of
Carter	Gilbertson	O'Donnell	Appanoose
Clark	Gilmore	Oliver	Slemmons
Criswell	Grimwood	Olson	Smith of
Diltz	Hattendorf	Ontjes	Chickasaw
Donhowe	Hauge	Parsons	Stock
Dooley	Healy	Patterson	Stookesberry
Edge	Hempel	Peterson	Weber
Edson	Johnson	Powers	Wolfe—53

## The nays were:

Blume	Henderson	McClune	Scott of Fremont
Bradley	Himebauch	Matthlesen	Smith of Lucas
Brady	Hollis	Napier	Storey
Cole	Knutson	Orr	Strippel
Doolittle	Lake	Ramsey	Venard
Dotts	Lieberknecht	Rankin	Williams
Fackler	Long	Rassler	Wilson
Graham	Lovrien	Sampson	Mr. Speaker—32

## Absent or not voting:

Aiken	Gilbert	Lichty	Schirmer
Children	Hansen	Noble	Ulstad
Colbert	Harrison	Potts	Vincent
Dewar	Held	Rumley	Wamstad
Elliott	Huff	Rust	Yenter—23
Gibson	Leonard	Saunders	

The amendment was adopted.

On the question "Shall the bill pass?"

## The ayes were:

Anderson of	Gallagher	Lieberknecht	Robson
Webster	Garber of Adair	Long	Rust
Berry	Garber of Floyd	McClune	Sampson
Blake	Gesman	Mathews	Schirmer
Blume	Gibson	Matthlesen	Schulte
Bradley	Gilbertson	Miller	Scott of
Brady	Gilmore	Moen	Appanoose
Brittain	Graham	Napier	Scott of Fremont
Buffington	Grimwood	Noble	Slemmons
Carter	Harrison	O'Donnell	Smith of
Clark	Hattendorf	Oliver	Chickasaw
Colbert	Hauge	Olson	Stock
Cole	Healy	Ontjes	Stookesberry
Criswell	Hempel	Parsons	Storey
Diltz	Henderson	Patterson	Strippel
Donhowe	Himebauch	Peterson	Ulstad
Dooley	Hollis	Powers	Venard
Doolittle	Johnson	Quirk	Vincent
Dotts	King	Ramsey	Weber
Edge-	Knutson	Rankin	Williams
Edson	Lake	Rassler	Wilson
Fackler	Letts	Rewoldt	Wolfe
Forsling	Lichty	Rhinehart	Mr. Speaker—90
Frahm			

## The nays were:

Lovrien	Orr	Smith of Lucas—3
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## Absent or not voting:

Aiken	Gilbert	Leonard	Saunders
Children	Hansen	Natvig	Wamstad
Dewar	Held	Potts	Yenter—15
Elliott	Huff	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Rankin of Lee, House File No. 200, a bill for an act to amend, revise, and codify sections five thousand ten (5010), fifty-two hundred thirty-nine (5239), fifty-two hundred forty (5240), fifty-two hundred forty-two (5242), fifty-two hundred forty-three (5243), fifty-two hundred forty-five (5245), fifty-two hundred forty-six (5246) and fifty-two hundred forty-nine (5249) of the compiled code of Iowa, relating to interurban railways, with Senate amendments, found in the House Journal of March 22d, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Aiken	Gibson	Mathews	Rhinehart
Anderson of Webster	Gilbertson	Matthlesen	Robson
Blume	Gilmore	Moen	Rust
Brady	Graham	Napier	Sampson
Brittain	Hansen	Natvig	Schirmer
Buffington	Harrison	Noble	Scott of Appanoose
Children	Hattendorf	O'Donnell	Scott of Fremont
Clark	Healy	Oliver	Slemmons
Colbert	Hempel	Olson	Smith of Chickasaw
Cole	Henderson	Ontjes	Smith of Lucas
Criswell	Himebauch	Orr	Stokesberry
Diltz	Hollis	Parsons	Storey
Donhowe	Johnson	Patterson	Strippel
Dooley	King	Peterson	Ulstad
Doolittle	Knutson	Potts	Vincent
Dotts	Lake	Powers	Weber
Edson	Letts	Quirk	Williams
Fackler	Lichty	Ramsey	Wilson
Forsling	Lieberknecht	Rankin	Mr. Speaker—83
Garber of Adair	Long	Rassler	
Garber of Floyd	Lovrien	Rewoldt	
	McClune		

The nays were, none.

Absent or not voting:

Berry	Frahm	Held	Schulte
Blake	Gallagher	Huff	Stock
Bradley	Gesman	Leonard	Venard
Carter	Gilbert	Miller	Wamstad
Dewar	Grimwood	Rumley	Wolfe
Edge	Hauge	Saunders	Yenter—25
Elliott			

The House concurred in the Senate amendments to House File No. 200.

On request of Doolittle of Delaware, House File No. 236, a bill for an act to amend, revise, and codify section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa, relating to estates of decedents, with Senate amendments, found in the House Journal of March 24th, was taken up and the amendments read and considered.

Mr. Doolittle moved that the House refuse to concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were:

Anderson of Webster	Himebauch	Rust	Schulte—4
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The nays were:

Berry	Garber of Adair	McClune	Robson
Blake	Garber of Floyd	Mathews	Sampson
Blume	Gesman	Matthiesen	Schirmer
Brady	Gibson	Miller	Scott of
Brittain	Gilbertson	Moen	Appanoose
Buffington	Gilmore	Napler	Scott of Fremont
Carter	Graham	Natvig	Slemmons
Children	Hansen	Noble	Smith of
Clark	Harrison	O'Donnell	Chickasaw
Colbert	Hattendorf	Oliver	Smith of Lucas
Cole	Hauge	Olson	Stokesberry
Criswell	Healy	Ontjes	Storey
Diltz	Hempel	Parsons	Strippel
Donhowe	Henderson	Patterson	Ulstad
Dooley	Hollis	Peterson	Venard
Doolittle	King	Powers	Vincent
Dotts	Knutson	Quirk	Weber
Edge	Letts	Ramsey	Wilson
Edson	Lichty	Rankin	Wolfe
Fackler	Lieberknecht	Rewoldt	Mr. Speaker—83
Forsling	Long	Rhinehart	
Gallagher	Lovrien		

Absent or not voting:

Aiken	Grimwood	Leonard	Saunders
Bradley	Held	Orr	Stock
Dewar	Huff	Potts	Wamstad
Elliott	Johnson	Rassler	Williams
Frahm	Lake	Rumley	Yenter—21
Gilbert			

The House refused to concur in the Senate amendments to House File No. 236.

#### AMENDMENTS FILED

Diltz of Polk filed the following amendments to Senate File No. 169:

Amend Senate File No. 169, section 42, lines 6 to 10, by striking all of said lines following the word "taxes" in line 6 and preceding the word "all" in line 10, and inserting in lieu thereof the following: "provided that any or all installments not yet paid together with accrued interest thereon may be paid on the date of any installment".

Edson of Buena Vista filed the following amendment to House File No. 289:

Amend House File No. 289 by striking out paragraphs five (5), six (6) and seven (7) of section twenty (20) and by inserting in lieu thereof the following:

5. To prepare and cause to be published immediately following the final adjournment of the regular session of the forty-second general assembly and each four years thereafter, a volume which shall, by proper annotations, show the constructions placed by the supreme court on all statutes of this state since the then existing permanent volume of annotations. The edition of nineteen hundred twenty-nine (1929) and all subsequent volumes shall constitute a cumulation of all former volumes commencing with the edition of nineteen hundred twenty-seven (1927) and so continued until said cumulation shall reach a size sufficient for a permanent volume.

Children of Pottawattamie filed the following amendments to House File No. 277:

Amend House File No. 277 as follows:

Amend section thirty-three (33), line one (1), by inserting between the word "agent" and the word "to" the following ", except as provided in the next succeeding section,".

Amend by inserting after section thirty-three (33) the following:

Sec. 33-a1. It shall be lawful for any dealer or used car dealer in this state to sell and transfer his business or his stock of motor vehicles new or used in bulk by complying with the following requirements:

1. The vendor shall:

(a) File with the county treasurer and the department duplicate inventories of all motor vehicles proposed to be transferred, giving the factory number, last license number, if any, and description of each such motor vehicles and the name and address of the proposed vendee.

(b) File with the county treasurer and the department duplicate bills of sale setting forth the fact that such sale has been completed.

2. The vendee shall:

(a) If he has not already secured a dealer's or used car dealer's license, secure such license from the department.

(b) Conform to such other regulations as the department may require.

3. The vendor and vendee shall join in the transfer of each motor vehicle in such stock and shall file with the county treasurer a transfer, and shall pay a transfer fee of one dollar (\$1.00) for each such motor vehicle.

Upon the completion of such requirements the department shall certify to the county treasurer that such motor vehicles are, from and after a date to be set by the department, the property of the vendee for assessment for regular taxes or for sale."

Harrison of Pottawattamie filed the following amendments to House File No. 289:

Amend House File No. 289 as follows:

(1) Amend by adding immediately after section 20 the following:

"Sec. 20-a1. Temporary exception. No edition of session laws shall be issued covering the acts of the extra session of the Fortieth General Assembly."

(2) Amend the title by changing the period at the end thereof to a comma and adding "and making an appropriation therefor."

Gilbertson of Winneshiek filed the following amendment to Senate File No. 169:

Amend Senate File No. 169 by adding the following section:

Sec. 70. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the *Sioux City Tribune*, a newspaper published in the city of Sioux City, Iowa, and the *Plain Talk*, a newspaper published in the city of Des Moines, Iowa.

McClune of Mahaska filed the following amendments to House File No. 277 and to the committee amendments to said bill:

(1) Amend House File No. 277 by striking the period at the end of section 49 and adding the following: "and in addition cities and towns may provide for and collect a license fee equal to one-third ( $\frac{1}{3}$ ) of the annual fee."

(2) Amend section 196 by inserting between the word "commission" and the period (.) in line 4 the following: "and local peace officers".

(3) Also amend committee amendment No. 9 to House File No. 277 by striking out all after the period following the word "duty" and substituting in lieu thereof the following: "The salaries and expenses of such patrolmen shall be paid out of the county general fund."

(4) Amend committee amendment No. 10 by adding at the end of the committee amendment the following: "The city or town shall keep placed conspicuously at each point where a street or highway intersects such designated boulevard or arterial highway, a sign bearing the word "STOP" of sufficient size to be easily readable at a distance of one hundred feet by a person using such street or highway.

Anderson of Webster filed the following amendments to House File No. 277:

Amend House File No. 277 by striking out the word "ten" in line two of section 43, and inserting in lieu thereof the word "eight".

Also amend by striking out the word "four" in line three of section 195, and inserting in lieu thereof the words "two and one-half".

Also amend by striking out the words "fourteen tons" in line four of section 195, and inserting in lieu thereof the following: "nine (9) tons for vehicles equipped with pneumatic tires and seven (7) tons for vehicles equipped with solid tires."

Moen of Lyon filed the following amendments to House File No. 121:

Amend House File No. 121 as follows:

(1) Amend by adding immediately after section 50 the following:

"That section twenty-nine hundred fourteen (2914) of the supplement to the compiled code is amended by adding thereto the following:

An authorization voted by the electors and not acted on by the board of supervisors within four years after said authorization, shall be deemed null and void."

(2) Amend by adding to the title the following:

", and to amend section twenty-nine hundred fourteen (2914) of the supplement to the compiled code, relating to the improvement of primary roads."

Carter of Hardin filed the following amendment to House File No. 115:

Amend section 6, line 4, of House File No. 115 by inserting between the words "annually" and "as" the following: "for the biennium ending June 30, 1925,".

Moen of Lyon filed the following amendment to House File No. 115:

Amend House File No. 115 as follows:

Amend section six (6) by striking from line four (4) the word "annually" and substituting in lieu thereof "for the biennium".

On motion of Wolfe of Linn the House adjourned until 9:00 a. m. Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES.  
DES MOINES, IOWA. MARCH 26, 1924.

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

Prayer was offered by the Rev. Robert W. Thompson, pastor of the United Presbyterian church, Des Moines.

Journal of March 25th corrected and approved.

## PETITIONS

Hattendorf of Osceola presented a petition from the board of supervisors of Osceola county favoring a gasoline tax bill. Referred to committee on ways and means.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Hattendorf of Osceola indefinitely, on request of Long of Jefferson.

## INTRODUCTION OF BILL

House File No. 309, by committee on municipal corporations, a bill for an act to amend, revise, and codify section forty-two hundred seventy (4270) of the compiled code of Iowa relating to cities operating under the commission plan.

Read first and second times and passed on file.

## PROOF OF PUBLICATION OF HOUSE FILE NO. 307

The official proof of publication of House File No. 307, a bill for an act to legalize the consolidation of the Keokuk & Hamilton Mississippi River Bridge Company with the Hancock County Bridge Company and the amendment and renewal of the articles of consolidation of the consolidated company for a term of fifty years, beginning August 1, 1918, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## CONSIDERATION OF BILLS

## SPECIAL ORDER NO. 1

Senate File No. 283, a bill for an act to amend, revise, and codify sections nine hundred twenty (920) to nine hundred fifty-one (951), inclusive, and nine hundred eighty (980) of the compiled code of Iowa, relating to the sale and transportation of intoxicating liquors under permits, with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of March 21st, were taken up and considered.

Diltz of Polk moved that action on Senate File No. 283 be deferred and that the bill be ordered reprinted as passed by the Senate, with the amendments proposed by the committee on suppression of intemperance inserted following the sections to which they apply.

A division of the motion was asked for.

On the question "Shall action on Senate File No. 283 be deferred?" a roll call was demanded.

The ayes were:

Aiken	Gallagher	Lake	Rumley
Anderson of Webster	Garber of Adair	Letts	Sampson
Berry	Gesman	Lichty	Saunders
Blake	Gilbert	Matthiesen	Schulte
Blume	Gilbertson	Miller	Smith of Lucas
Brittain	Gilmore	O'Donnell	Stock
Buffington	Graham	Oliver	Stookesberry
Children	Grimwood	Olson	Strippel
Colbert	Hansen	Ontjes	Ulstad
Diltz	Harrison	Orr	Wamstad
Doolittle	Hauge	Peterson	Weber
Dotts	Hempel	Ramsey	Williams
Edge	Himebauch	Rankin	Wilson
Edson	Hollis	Rewoldt	Wolfe
Fackler	Huff	Rhinehart	Yenter
	Knutson	Robson	Mr. Speaker—63

The nays were:

Bradley	Hattendorf	Napier	Scott of Appanoose
Brady	Ield	Natvig	Scott of Fremont
Carter	Henderson	Noble	Slemmons
Clark	Johnson	Parsons	Smith of Chickasaw
Criswell	Leonard	Patterson	Venard
Donhowe	Lieberknecht	Powers	Vincent—32
Dooley	Long	Quirk	
Frahm	Mathews	Schirmer	
Gibson	Moen		

Absent or not voting:

Cole	Garber of Floyd	McClune	Rust
Dewar	Healy	Potts	Storey—13
Elliott	King	Rassler	
Forsling	Lovrien		

The motion to defer action on Senate File No. 283 prevailed.

The motion to order the printing of Senate File No. 283 as passed by the Senate, with amendments proposed by the House committee on suppression of intemperance inserted following the sections to which they apply, prevailed.

#### SPECIAL ORDER MADE

Williams of Montgomery moved that Senate File No. 283 be made a special order for Friday, March 28th, at 10:00 a. m.

Himebauch of Emmet moved to amend the motion by making the bill a special order for Thursday, March 27th, at 2:00 p. m.

Amendment adopted.

Motion by Williams of Montgomery, as amended, prevailed.

House File No. 114, a bill for an act to amend, revise, and codify sections two thousand seven hundred twenty-eight (2728) to two thousand seven hundred thirty-eight (2738), inclusive, two thousand seven hundred forty-six (2746), two thousand seven hundred forty-seven (2747), two thousand seven hundred forty-nine (2749) to two thousand seven hundred fifty-three (2753), inclusive, two thousand seven hundred fifty-six (2756) to two thousand seven hundred sixty-four (2764), inclusive, two thousand seven hundred sixty-seven (2767), and two thousand seven hundred sixty-eight (2768) of the compiled code of Iowa, and section two thousand seven hundred forty-eight (2748) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Edson of Buena Vista the amendments proposed by the committee, found in the Journal of March 25th, were adopted.

Doolittle of Delaware offered the following amendments and moved their adoption:

Amend House File No. 114 as follows:

(1) Amend section 1 by striking from lines one (1) and two (2) the words "a legislative reference section". Also strike the comma (,) following the word "section" in line two (2).

(2) Amend section 7, subsection 1, by striking from lines two (2) and three (3) the words "general and medical sections of the" and insert the word "state" before the word "library"; also by striking from line three (3) the words "both of". Strike out of subsection 2, lines five (5) and six (6), the words "sections of the"; add a comma (,) after the word "library", in line six (6), strike out the words "under his charge," in line six (6); also strike the word "them" and insert following the word "keep" the words "the library". In subsection 3, line ten (10), strike out the word "sections" and insert in lieu thereof the word "library". In subsection 4, line thirteen (13), strike out the word "languages" and insert in lieu thereof the word "terms". In subsection 5, line sixteen (16), strike out the words "sections of the". Strike out all of subsection 6.

Amendments adopted.

Letts of Washington offered the following amendment and moved its adoption:

Amend the title to said bill by striking the words and figures "thirty-eight (38)" in line two (2) and inserting in lieu thereof the words and figures "forty-five (45)". Also by striking the words and figures "thirty-eight (38)" in line two (2) of the sub-enacting clause and inserting in lieu thereof the words and figures "forty-five (45)".

Amendment adopted.

On request of Edson of Buena Vista, unanimous consent having been obtained, further action on House File No. 114 was deferred.

Senate File No. 290, a bill for an act to provide to pay the expenses of the Iowa Child Welfare Commission appointed by the Governor, with majority report of committee recommending indefinite postponement and minority report of committee recommending passage, was taken up for consideration.

Diltz of Polk moved that the report of the minority be substituted for the report of the majority.

On the question "Shall the report of the minority be substituted for the report of the majority?" a roll call was demanded and rule 18 was invoked.

The ayes were:

Blake	Garber of Floyd	Lichty	Saunders
Bradley	Gilbert	Lieberknecht	Schirmer
Brady	Gilmore	Lovrien	Schulte
Buffington	Graham	Moen	Scott of Fremont
Carter	Grimwood	Natvig	Smith of
Clark	Hansen	O'Donnell	Chickasaw
Colbert	Hauge	Olson	Stock
Cole	Healy	Ontjes	Storey
Criswell	Held	Parsons	Strippel
Diltz	Hempel	Peterson	Venard
Donhowe	Henderson	Powers	Vincent
Doolittle	Himebauch	Ramsey	Wamstad
Dotts	Hollis	Rankin	Weber
Edge	Johnson	Rhinehart	Williams
Edson	King	Robson	Wilson
Forsling	Knutson	Rumley	Yenter
Gallagher	Lake	Rust	Mr. Speaker—70
Garber of Adair	Letts	Sampson	

The nays were:

Aiken	Fackler	McClune	Rassler
Anderson of	Frahm	Matthiesen	Rewoldt
Webster	Gesman	Miller	Slemmons
Berry	Gibson	Napier	Smith of Lucas
Blume	Gilbertson	Noble	Stookesberry
Brittain	Huff	Oliver	Ulstad
Children	Leonard	Orr	Wolfe—30
Dooley	Long	Patterson	

Absent or not voting:

Dewar	Hattendorf	Potts	Scott of
Elliott	Mathews	Quirk	Appanoose—8
Harrison			

The minority report was substituted for the report of the majority.

On motion of Diltz of Polk the minority report of the committee was adopted.

Mr. Diltz moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Clark	Dotts	Gesman
Webster	Colbert	Edge	Gilbert
Blake	Cole	Edson	Gilmore
Bradley	Criswell	Forsling	Graham
Brady	Diltz	Gallagher	Grimwood
Buffington	Donhowe	Garber of Adair	Hansen
Carter	Doolittle	Garber of Floyd	Hauge

Healy	Long	Ramsey	Smith of
Held	Lovrien	Rankin	Chickasaw
Hempel	McClune	Rhinehart	Stock
Henderson	Mathews	Robson	Storey
Himebauch	Moen	Rumley	Strippel
Hollis	Natvig	Rust	Venard
Johnson	O'Donnell	Sampson	Vincent
King	Olson	Saunders	Weber
Knutson	Ontjes	Schirmer	Williams
Lake	Parsons	Schulte	Wilson
Letts	Peterson	Scott of Fremont	Yenter
Lichty	Powers		Mr. Speaker—73

The nays were:

Aiken	Frahm	Miller	Rassler
Berry	Gibson	Napier	Rewoldt
Blume	Gilbertson	Noble	Slemmons
Brittain	Huff	Oliver	Smith of Lucas
Children	Leonard	Orr	Stokesberry
Dooley	Lieberknecht	Patterson	Wolfe—26
Fackler	Matthiesen		

Absent or not voting:

Dewar	Hattendorf	Scott of	Ulstad
Elliott	Potts	Appanoose	Wamstad—9
Harrison	Quirk		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 114, a bill for an act to amend, revise, and codify sections two thousand seven hundred twenty-eight (2728) to two thousand seven hundred thirty-eight (2738), inclusive, two thousand seven hundred forty-six (2746), two thousand seven hundred forty-seven (2747), two thousand seven hundred forty-nine (2749) to two thousand seven hundred fifty-three (2753), inclusive, two thousand seven hundred fifty-six (2756) to two thousand seven hundred sixty-four (2764), inclusive, two thousand seven hundred sixty-seven (2767), and two thousand seven hundred sixty-eight (2768) of the compiled code of Iowa, and section two thousand seven hundred forty-eight (2748) of the supplement to said code, relating to education, was taken up for further consideration.

Edson of Buena Vista offered the following amendment and moved its adoption:

Amend House File No 114 by adding to section twenty-three (23) the following:

"5. The appropriation of two thousand dollars (\$2,000.00) for the legislative reference bureau provided for in section 20 of chapter 307,

acts of the Fortieth General Assembly, shall be used hereafter for the support of the economics and sociological section provided for herein."

Amendment adopted.

Mr. Edson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Gallagher Garber of Adair	Lefts Lichty	Rumley Rust
Blume	Gesman	Lieberknecht	Saunders
Brady	Gibson	Lovrien	Schirmer
Brittain	Gilbert	McClune	Schulte
Buffington	Gilmore	Mathews	Slemmons
Carter	Graham	Moen	Smith of Chickasaw
Children	Grimwood	Napier	Smith of Lucas
Clark	Hansen	Noble	Stookesberry
Colbert	Healy	O'Donnell	Venard
Cole	Held	Oliver	Weber
Criswell	Hempel	Olson	Williams
Diltz	Henderson	Ontjes	Wilson
Donhowe	Himebauch	Parsons	Wolfe
Doolittle	Hollis	Peterson	Yenter
Dotts	Johnson	Ramsey	Mr. Speaker—72
Edge	King	Rankin	
Edson	Knutson	Rhinehart	
Forsling	Lake	Robson	

The nays were:

Blake	Huff	Matthiesen	Miller—5
Dooley			

Absent or not voting:

Aiken	Harrison	Powers	Stock
Berry	Hattendorf	Quirk	Storey
Bradley	Hauge	Rassler	Strippel
Dewar	Leonard	Rewoldt	Ulstad
Elliott	Long	Sampson	Vincent
Fackler	Natvig	Scott of Appanoose	Wamstad—31
Frahm	Orr	Scott of Fremont	
Garber of Floyd	Patterson		
Gilbertson	Potts		

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### AMENDMENTS FILED

McClune of Mahaska filed the following amendment to House File No. 277:

(1) Amend House File No. 277, section 4-a1, by striking out all of lines one (1) to nine (9), inclusive, and substituting in lieu thereof the following:

"All motor vehicles owned by the government and used in the transaction of official business by the representatives of foreign powers or by officers, boards or departments of the government of the United States, and by the state of Iowa, counties, municipalities and other subdivisions of government, and such self-propelling vehicles as are used neither for the conveyance of persons for hire, pleasure or business nor for the transportation of freight, and small trailers, under one thousand pounds capacity, equipped with rubber tires, used with pleasure motor vehicles and used for carrying personal baggage or effects, are hereby exempted from the payment of the fees in this chapter prescribed, but shall not be exempt from the penalties herein provided. The department shall furnish, on application, free of charge, distinguishing plates for motor vehicles thus exempted and keep a separate record thereof."

(2) Amend section 13 by inserting a period (.) after the word "obscured" in line five (5) and striking out all the rest of the section.

(3) Amend section 54 by inserting between lines ten (10) and eleven (11) the following:

"Trailers with capacity of 2 tons, but not exceeding 3 ton capacity \$20.00".

Also by inserting between lines nineteen (19) and twenty (20) the following:

"Trailers with  $\frac{1}{2}$  ton, but not exceeding 1 ton capacity \$15.00".

Also by striking out the figures "\$5.00" following line twenty-one (21) and inserting in lieu thereof the figures \$20.00".

Also by striking out the figures "\$15.00" following line twenty-three (23) and inserting in lieu thereof the figures "\$25.00".

(4) Amend section 107 by striking out of line one (1) the words "fifteenth day of July" and inserting in lieu thereof "first day of September".

(5) Amend section 119 by striking out all following the word "and" in line four (4) and substituting therefor the words "credited to the primary road fund".

(6) Amend section 189 by inserting after the word "auditorium" in line three (3) a comma (,) and the word "hotel".

On motion of Gilmore of Cedar the House adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 27, 1924.

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

Prayer was offered by the Rev. J. H. Garrison, pastor of the A. M. E. church, Keokuk, Iowa.

Journal of March 26th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Orr of Keokuk for the day on account of illness, on request of Ressler of Pocahontas.

## PETITION

Saunders of Palo Alto presented a petition from the board of supervisors of Palo Alto county, favoring a gasoline tax bill and urging further regulation of traffic on highways. Referred to committee on roads and highways.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: **House Files** Nos. 87, 192, 288 and 299.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 87, 192, 288 and 299.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports

that it has, on this twenty-seventh day of March, 1924, sent to the Governor for his approval: House Files Nos. 87, 192, 288, 299.

C. F. LETTS, *Chairman*

Report adopted.

#### INTRODUCTION OF BILL

House File No. 310, by committee on municipal corporations, a bill for an act to amend, revise, and codify section forty-two hundred ninety-two (4292) of the compiled code relating to the government of cities and towns.

Read first and second times and passed on file.

#### CONSIDERATION OF BILLS

Senate File No. 169, a bill for an act to amend, revise, and codify sections three thousand eight hundred thirty-five (3835), three thousand eight hundred forty-four (3844), three thousand eight hundred fifty (3850) to three thousand eight hundred sixty (3860), inclusive, three thousand eight hundred seventy-three (3873) to three thousand eight hundred seventy-seven (3877), inclusive, three thousand eight hundred seventy-nine (3879) to three thousand eight hundred eighty-eight (3888), inclusive, three thousand eight hundred ninety (3890) to three thousand eight hundred ninety-six (3896), inclusive, three thousand eight hundred ninety-eight (3898) to three thousand nine hundred two (3902), inclusive, three thousand nine hundred four (3904), three thousand nine hundred six (3906), three thousand nine hundred seven (3907), three thousand nine hundred ten (3910), three thousand nine hundred eleven (3911), three thousand nine hundred sixteen (3916), three thousand nine hundred twenty (3920) to three thousand nine hundred twenty-five (3925), inclusive, three thousand nine hundred twenty-seven (3927), and three thousand nine hundred twenty-eight (3928) of the compiled code of Iowa, and sections three thousand eight hundred forty-nine (3849), three thousand eight hundred seventy-eight (3878), three thousand eight hundred eighty-seven-a one (3887-a1), three thousand eight hundred eighty-nine (3889), three thousand nine hundred three (3903), three thousand nine hundred twelve (3912) to three thousand nine hundred fifteen (3915), inclusive, three thousand nine hundred seventeen (3917) to three thousand nine hundred nineteen (3919), inclusive, three thousand nine hundred twenty-two-a one (3922-a1) to three thousand nine hundred twen-

ty-two-a five (3922-a5), inclusive, and three thousand nine hundred twenty-six (3926) of the supplement to said code, relating to municipal corporations, was taken up for further consideration.

The following amendment offered by Diltz of Polk was taken up and considered:

Amend Senate File No. 169 by striking all of section 41 and inserting in lieu thereof the following:

"Unless the owner of any lot or parcel of land, or railway, or street railway, the assessment against which is embraced in any bond or certificate provided for by law, shall, within thirty (30) days from the date of such assessment, file written objection to the legality or regularity of the assessment or levy of such tax upon and against his property, such owner shall be deemed to have waived objection on these grounds and to have agreed to pay said assessment with interest thereon at such rate, not exceeding six per cent (6%) per annum, as shall by resolution of the council be prescribed and such tax so levied shall be payable in ten (10) equal installments. The cost of oiling the streets may not be paid in installments."

Forsling of Woodbury offered the following amendments to the amendment offered by Diltz of Polk and moved their adoption:

Amend the amendments offered by Diltz of Polk to Senate File No. 169, section 41, by striking from line ten (10) thereof the following: "at such rate,"; also, amend by striking from line eleven (11) thereof the following: ", as shall by resolution of the council be prescribed".

Amendments to the amendment were adopted.

#### SPECIAL ORDER NO. 1

Special Order No. 1, House File No. 183, was taken up for consideration.

On request of Storey of Warren, unanimous consent having been obtained, action on House File No. 183 was deferred, pending action by the Senate on Senate File No. 183.

The House resumed consideration of Senate File No. 169.

Blake of Fayette moved the previous question on the amendment offered by Diltz of Polk.

Motion prevailed.

Mr. Diltz moved the adoption of the amendment offered by him, as amended.

The amendment, as amended, was adopted.

Blake of Fayette offered the following amendment and moved its adoption:

Amend Senate File No. 169, section 41, as amended by Diltz of Polk, by striking from the first line thereof the following: "or parcel of land."

Amendment adopted.

#### SPECIAL ORDER NO. 2

House File No. 277, a bill for an act to amend, revise, and codify chapter seventeen (17) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, sections thirty hundred forty-one (3041) to thirty hundred forty-four (3044), inclusive, eighty-eight hundred sixty-two (8862) and eighty-eight hundred sixty-three (8863) of the compiled code of Iowa, and sections eighty-six hundred forty-five-a five (8645-a5) to eighty-six hundred forty-five-a seven (8645-a7), inclusive, of the supplement to the compiled code of Iowa, relating to motor vehicles, travel upon the public highways, and criminal offenses relative to said subject matters, with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of March 21st, were taken up and considered.

On motion of Garber of Adair committee amendments Nos. 1 to 8, inclusive, were adopted.

Slemmons of Buchanan offered the following substitute amendment to committee amendment No. 9:

Amend committee amendment No. 9 to House File No. 277 by striking out all of said amendment and inserting in lieu thereof the following:

"Amend House File No. 277 by inserting the following section immediately following section 126:

Sec. 126-a1. The road patrolmen appointed by the board of supervisors of any county may, in addition to their other duties, enforce the provisions of the law relating to travel, on the primary roads of the county outside of cities and towns. Each such patrolman shall while on duty wear an official badge, such that he may be clearly distinguished as an officer of the law by all persons using the public highways, said badge to be furnished by the board of supervisors of the county. Each such patrolman shall take the same oath as any peace officer and shall have the authority of a peace officer."

On motion of Slemmons of Buchanan the amendment to committee amendment No. 9 was adopted.

On motion of Mr. Slemmons committee amendment No. 9, as amended, was adopted.

The following amendment filed by McClune of Mahaska to committee amendment No. 10 was taken up and considered:

Amend committee amendment No. 10 by adding at the end of the committee amendment the following: "The city or town shall keep placed conspicuously at each point where a street or highway intersects such designated boulevard or arterial highway, a sign bearing the words "STOP BOULEVARD" of sufficient size to be easily readable at a distance of one hundred feet by a person using such street or highway.

On motion of Mr. McClune the amendment to committee amendment No. 10 was adopted.

On motion of Mr. McClune committee amendment No. 10, as amended, was adopted.

McClune of Mahaska offered the following amendment to committee amendment No. 11 and moved its adoption:

Amend committee amendment No. 11 by striking therefrom the amendment to section 132, subsection 3, line 11.

Amendment to committee amendment No. 11 was adopted.

On motion of Garber of Adair committee amendment No. 11, as amended, was adopted.

Garber of Adair offered the following amendment to committee amendment No. 12 and moved its adoption:

Amend committee amendment No. 12 by striking therefrom the amendment to line 3 of section 144.

Amendment to committee amendment No. 12 was adopted.

On motion of Mr. Garber committee amendment No. 12, as amended, was adopted.

On motion of Mr. Garber committee amendments Nos. 13 to 16, inclusive, were adopted.

Rassler of Pocahontas moved that the House adjourn until 1:00 p. m. today.

Lake of Woodbury moved to amend the motion by changing the hour from 1:00 p. m. to 1:30 p. m.

Amendment adopted.

Motion of Rassler of Pocahontas, as amended, prevailed.

### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted as follows: Oliver of Monona indefinitely, on request of Johnson of Dickinson.

### REPORTS OF COMMITTEES

Ulstad of Wright, from the committee on labor, submitted the following report:

MR. SPEAKER: Your committee on labor to whom was referred Senate File No. 45, a bill for an act to amend, revise and codify chapter twelve (12) of title five (5) of the compiled code of Iowa, and section ten hundred sixty-four (1064) of the supplement to said code, relating to fire escapes and means of escape from fire, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking the word "inside" following the word and figure "two (2)" in line three (3) of section 3.

OSCAR ULSTAD, *Chairman.*

Report adopted.

Lake of Woodbury, from the committee on board of control, submitted the following report:

MR. SPEAKER: Your committee on board of control to whom was referred House File No. 84, a bill for an act to amend, revise, and codify title nine (9) of the compiled code of Iowa and of the supplement to said code, relating to charitable, correctional, and penal institutions, and the juvenile 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 further amended as follows, and when so amended the bill do pass:

(1) Strike out all of section 50 and insert in lieu thereof the following:

"Sec. 50. Services required.

Inmates of said institution subject to the provisions hereinafter provided, may be required to render any proper and reasonable service either in the institutions proper or in the industries established in connection therewith."

(2) Amend section 461 by striking therefrom the last sentence and inserting in lieu thereof the following:

"The employment of prisoners on work of any character which the state contracts to do for any person, firm or corporation on state premises, where the work and prisoners employed thereon are both under the supervision, direction and control of the board of control and the warden, shall not be construed as contracting or leasing the labor of prisoners to such person, firm or corporation."

(3) Amend by adding the following sections:

"Sec. 461-a1. Prices of labor.

The board of control shall fix and determine the price which shall be paid to the said board by the various public bodies to which convict labor may be furnished.

Sec. 461-a2. Price lists to public officials.

The board of control shall, from time to time, prepare classified and itemized price lists of articles and things manufactured at the state institutions controlled by it, and furnish such lists to all boards of supervisors, boards of school directors, city and town councils and commissions, township trustees, and all other departments and officials of the state, county, cities and towns empowered to make purchase of supplies for public purposes.

Sec. 461-a3. Application for material.

The township trustees of any township or the board of supervisors of any county may make application to the board of control for such road-building material, and other appliances, as may be needed or required by them for the construction, improvement or repairing of the township, county or state roads in their respective districts.

Sec. 461-a4. Purchase mandatory.

No articles or supplies shall be purchased for public use by the aforesaid public officials, bodies, and departments from any private source unless the board of control is unable to promptly furnish such articles or supplies.

Sec. 461-a5. Selling price.

Such supplies, material and articles of convict labor shall be furnished by the board of control to the state, its institutions and political subdivisions thereof and the road districts of the state at cost of labor and material plus a reasonable profit to the state.

Sec. 461-a6. Limitation on contract.

After July 1st, 1927, the board of control or the warden of the state penitentiary or the warden of the reformatory shall not, nor shall any other person employed by the state make any contract by which the labor or time of any prisoner or inmate in such penitentiary or reformatory or the products or profits of his work shall be contracted, let, farmed out, given or sold to any person, firm, association or corporation, except as their products and labor may be disposed of to the state or for or to any public institution owned, managed or controlled by the state or any political subdivision thereof.

Sec. 461-a7. Wage.

All prisoners or inmates when laboring inside or outside of said penitentiary or reformatory, may be paid a reasonable wage to be allowed by the board of control for each day's work actually performed according to services rendered. The board may assign or cause to be assigned, a reasonable daily task to be performed by each inmate and the compensation for such inmate shall be in proportion to the amount of work he performs. In case he performs a daily task assigned him, he shall receive at least the minimum compensation herein provided for.

Sec. 461-a8. Application of earnings.

The money so earned shall be placed to the credit of such inmate. Whenever an inmate has more than fifty dollars (\$50.00) earned and to his credit, his wife or minor children or other persons depending upon him for support shall be entitled to draw seventy-five per centum (75%) of such excess of the sum of fifty dollars (\$50.00) and in case the inmate has no dependents the amount of his earnings shall be retained and credited to his personal account during his term of confinement and given to such inmate when his term expires or when he is discharged."

(4) Amend by striking out all of sections 52, 53 and 54 of the bill.

FRANK C. LAKE, *Chairman.*

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files No. 21 and 201.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 21 and 201.

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. 205, a bill for an act relating to the insurance department.

Also, that the Senate has concurred in the House amendments to Sen-

ate File No. 25, a bill for an act relating to method of holding elections.

Also, 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 relating to future estates.

Also, that the Senate has adopted the conference report, and concurred in the amendments proposed therein, on Senate File No. 119, a bill for an act relating to the state highway commission and other officers charged with duties relating to highways.

Also, that the Senate has adopted the following concurrent resolution No. 15:

A resolution relating to the problem of purity of seeds.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 34, a bill for an act relating to removal from office.

LEON W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 34

Amend section 1 by inserting after the word "appointive" in line 1 the following: "officer, except the insurance commissioner,".

Amend by striking from line 4 of section 26 the word "cause" and inserting in lieu thereof the word "offense".

#### CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 119

MR. SPEAKER: We, your conference committee appointed for the consideration of the differences between the Senate and the House on Senate File No. 119, beg leave to report that we have had the differences under consideration, and have agreed on the following:

- (1) That the Senate concur in House amendment to section 5.
- (2) Substitute for the House amendment to subsection 10 of section 6, the following:

10. Establish a system of uniform guide and warning signs to provide for convenience and safety of travel upon the primary road system; also to adopt rules and regulations for the location, erection and maintenance of the same, said signs to be erected by the board of supervisors under said rules and regulations.

Such signs shall be furnished by the highway commission, to the several counties making application therefor at actual cost and paid for from the county's allotment of the primary road fund.

Upon the failure of the board of supervisors of any county to complete the marking by August 1, 1925, the commission shall proceed to erect such guide and warning signs. Where primary roads are now well marked,

such uniform marking shall be deferred until the present markings need renewing.

P. C. HOLDOEGEL  
A. T. BROOKINS  
J. C. TUCK  
J. M. SLOSSON  
FRED C. LOVRIEN  
BREDE WAMSTAD  
CLARENCE KNUTSON  
J. S. GARBER

#### SENATE CONCURRENT RESOLUTION NO. 15

*Whereas*, the fundamental industry of this country is agriculture; and  
*Whereas*, the purity of seeds used in agriculture is an important factor in that industry; and

*Whereas*, state laws cannot effectively meet the problem of purity in seeds used in agriculture because of interstate shipments; therefore,

*Be It Resolved by the Senate, the House concurring*: That the General Assembly of Iowa respectfully urges upon congress the enactment of an efficient national pure seed law which will supplement existing state legislation upon the same subject.

*Be It Further Resolved*: That a copy of this resolution be mailed to each United States Senator and each member of Congress from Iowa.

Laid over under rule 34.

#### SENATE MESSAGE CONSIDERED

Senate File No. 281, a bill for an act to amend, revise, and codify section sixty-three hundred forty-one (6341) of the compiled code of Iowa, relating to future estates.

Read first and second times and referred to committee on judiciary.

#### BUSINESS PENDING

The House resumed consideration of House File No. 277.

McClune of Mahaska moved to reconsider the vote by which the House adopted committee amendment No. 10 to House File No. 277.

Slemmons of Buchanan moved the previous question on the motion to reconsider.

Motion prevailed.

On the question "Shall the House reconsider the vote by which

the House adopted committee amendment No. 10 to House File No. 277?" a roll call was demanded.

The ayes were:

Berry	Dooley	Knutson	Natvig
Blake	Doolittle	Leonard	Ontjes
Bradley	Edge	Lieberknecht	Robson
Brady	Frahm	Long	Scott of
Brittain	Graham	Lovrien	Appanoose
Cole	Hauge	McClune	Wamstad—26
Criswell	Held	Mathews	

The nays were:

Aiken	Gesman	Miller	Slemmons
Anderson of	Gibson	Moen	Smith of
Webster	Gilbert	Napier	Chickasaw
Blume	Gilmore	Olson	Smith of Lucas
Buffington	Grimwood	Parsons	Stock
Carter	Hansen	Quirk	Stookesberry
Children	Harrison	Ramsey	Storey
Colbert	Hempel	Rankin	Strippel
Diltz	Henderson	Rassler	Ulstad
Donhowe	Himebauch	Rewoldt	Venard
Dotts	Hollis	Rumley	Vincent
Edson	Huff	Rust	Weber
Fackler	Johnson	Sampson	Williams
Forsling	Lake	Saunders	Wilson
Gallagher	Letts	Schirmer	Wolfe
Garber of Adair	Lichty	Schulte	Yenter
Garber of Floyd	Matthiesen	Scott of Fremont	Mr. Speaker—66

Absent or not voting:

Clark	Hattendorf	O'Donnell	Peterson
Dewar	Healy	Oliver	Potts
Elliott	King	Orr	Powers
Gilbertson	Noble	Patterson	Rhinehart—16

The motion to reconsider was lost.

The following amendments filed by Diltz of Polk were taken up for consideration:

Amend House File No. 277 as follows:

(1) Amend section 130 by striking the period (.) at the end of line 4 and inserting in lieu thereof the following: "and to designate by ordinance the conditions under which vehicles may be parked in public streets or alleys during the hours of darkness."

(2) Amend by adding a new section as follows:

"Sec. 222. Concealing or removing vehicle under mortgage or contract.

Any person, who shall knowingly conceal, barter, destroy, sell, remove or dispose of a motor vehicle which is subject to a chattel mortgage or conditional sale contract, without the written consent of the holder thereof, and contrary to the terms and provisions of the mortgage or conditional sale contract to which the same is subject, shall be guilty of larceny and

be punished accordingly. Failure to obtain the written consent of the then holder of the chattel mortgage or conditional sale contract to do any of the things herein forbidden, shall be prima facie evidence of a violation of the provisions of this section. Prosecution may be had in any county where any part of the act or acts constituting the offense is committed, or, in the county where the motor vehicle was registered, or, in the county where the mortgage or conditional sale contract is by its terms payable, or, in the county where the defendant last resided within the state."

Wamstad of Mitchell offered the following amendments to the amendments and moved their adoption:

Amend amendment No. 2 offered by Diltz of Polk by striking from line three (3) thereof the words "a motor vehicle" and inserting in lieu thereof the words "any article of commerce"; also, amend by striking out of lines twelve (12) and thirteen (13) the words "in the county where the motor vehicle was registered or".

Amendments to amendment No. 2 were rejected.

Vincent of Guthrie offered the following amendment to amendment No. 2 and moved its adoption:

Amend amendment No. 2 by Diltz of Polk by inserting after the word "contract" in line four (4) thereof the words "which has been duly filed or recorded".

Amendment to the amendment was adopted.

Mr. Diltz moved the adoption of amendment No. 2 proposed by him, as amended.

On the question "Shall amendment No. 2 by Diltz of Polk, as amended, be adopted?" a roll call was demanded.

The ayes were:

Blake	Gilbert	Lovrien	Scott of Fremont
Brittain	Gilmore	Matthiesen	Smith of Lucas
Cole	Grimwood	O'Donnell	Stock
Diltz	Harrison	Ontjes	Stookesberry
Dotts	Healy	Rewoldt	Strippel
Edson	Johnson	Rhinehart	Weber
Forsling	Lake	Schirmer	Wilson—30
Gallagher	Long		

The nays were:

Aiken	Carter	Frahm	Hempel
Anderson of	Children	Garber of Floyd	Henderson
Webster	Colbert	Gesman	Himebauch
Blume	Criswell	Gibson	Hollis
Bradley	Donhowe	Gilbertson	Huff
Brady	Dooley	Hauge	Leonard
Buffington	Edge	Held	Letts

Lichty	Natvig	Rumley	Ulstad
Lieberknecht	Noble	Sampson	Venard
McClune	Olson	Schulte	Wamstad
Mathews	Parsons	Slemmons	Wolfe
Miller	Peterson	Smith of	Yenter
Moen	Ramsey	Chickasaw	Mr. Speaker—53
Napier	Robson	Storey	

Absent or not voting:

Berry	Graham	Patterson	Rust
Clark	Hansen	Potts	Saunders
Dewar	Hattendorf	Powers	Scott of
Doolittle	King	Quirk	Appanoose
Elllott	Knutson	Rankin	Vincent
Fackler	Oliver	Rassler	Williams—25
Garber of Adair	Orr		

Amendment No. 2 by Diltz of Polk, as amended, was rejected.

Mr. Diltz moved the adoption of amendment No. 1, offered by him.

Amendment adopted.

By unanimous consent, the amendments filed by Anderson of Webster on March 24th were withdrawn.

The following amendment filed by McClune of Mahaska was taken up and considered:

Amend House File No. 277 by striking the period at the end of section 49 and adding the following: "and in addition cities and towns may provide for and collect a license fee equal to one-third ( $\frac{1}{3}$ ) of the annual fee."

Mr. McClune moved the adoption of the amendment.

Amendment was rejected.

The following amendment filed by McClune of Mahaska was taken up and considered:

Amend House File No. 277, section 196, by inserting between the word "commission" and the period (.) in line 4 the following: "and all peace officers".

On motion of Mr. McClune the amendment was adopted.

The following amendments filed by Anderson of Webster were taken up and considered:

Amend House File No. 277 by striking out the word "ten" in line two (2) of section 43 and inserting in lieu thereof the word "eight".

Also amend by striking out the word "four" in line three of section 195, and inserting in lieu thereof the words "two and one-half".

Also amend by striking out the words "fourteen tons" in line four of

section 195, and inserting in lieu thereof the following: "nine (9) tons for vehicles equipped with pneumatic tires and seven (7) tons for vehicles equipped with solid tires."

A division of the amendments was asked for.

Mr. Anderson moved the adoption of the amendment to line two (2) of section 43.

On the question "Shall the amendment to line two (2) of section 43 be adopted?" a roll call was demanded.

The ayes were:

Aiken	Dotts	Letts	Schirmer
Anderson of	Edson	Matthiesen	Scott of
Webster	Fackler	Miller	Appanoose
Berry	Frahm	Napier	Scott of Fremont
Blake	Gallagher	Noble	Slemmons
Blume	Gesman	Parsons	Smith of Lucas
Brady	Gilbertson	Patterson	Stookesberry
Carter	Hansen	Peterson	Storey
Children	Hempel	Powers	Ulstad
Colbert	Huff	Quirk	Weber
Cole	Johnson	Rassler	Wilson
Criswell	King	Rewoldt	Wolfe
Donhowe	Knutson	Rumley	Mr. Speaker—53
Dooley	Leonard	Rust	

The nays were:

Bradley	Healy	O'Donnell	Smith of
Brittain	Henderson	Olson	Chickasaw
Clark	Hollis	Ontjes	Stock
Doolittle	Lichty	Ramsey	Strippel
Garber of Adair	Long	Rhinehart	Venard
Garber of Floyd	McClune	Robson	Vincent
Gibson	Mathews	Sampson	Williams
Grimwood	Moen	Saunders	Yenter—34
Hauge	Natvig	Schulte	

Absent or not voting:

Buffington	Gilbert	Held	Oliver
Dewar	Gilmore	Himebauch	Orr
Diltz	Graham	Lake	Potts
Edge	Harrison	Lieberknecht	Rankin
Elliott	Hattendorf	Lovrien	Wamstad—21
Forsling			

The amendment was adopted.

On motion of Mr. Anderson the amendments proposed by him to section 195 were adopted.

Wamstad of Mitchell offered the following amendment and moved its adoption:

Amend House File No. 277, section 199-a1, by striking out subsection one (1) and renumbering the remaining subsections.

**Amendment adopted.**

The following amendments filed by Children of Pottawattamie were taken up and considered:

Amend House File No. 277 as follows:

Amend section thirty-three (33), line one (1), by inserting between the word "agent" and the word "to" the following: "except as provided in the next succeeding section,".

Amend by inserting after section thirty-three (33) the following:

Sec. 33-a1. It shall be lawful for any dealer or used car dealer in this state to sell and transfer his business or his stock of motor vehicles new or used in bulk by complying with the following requirements:

1. The vendor shall:

(a) File with the county treasurer and the department duplicate inventories of all motor vehicles proposed to be transferred, giving the factory number, last license number, if any, and description of each such motor vehicles and the name and address of the proposed vendee.

(b) File with the county treasurer and the department duplicate bills of sale setting forth the fact that such sale has been completed.

2. The vendee shall:

(a) If he has not already secured a dealer's or used car dealer's license, secure such license from the department.

(b) Conform to such other regulations as the department may require.

3. The vendor and vendee shall join in the transfer of each motor vehicle in such stock and shall file with the county treasurer a transfer, and shall pay a transfer fee of one dollar (\$1.00) for each such used motor vehicle.

Upon the completion of such requirements the department shall certify to the county treasurer that such motor vehicles are, from and after a date to be set by the department, the property of the vendee for assessment for regular taxes or for sale."

(On motion of Mr. Children the amendments were adopted.)

The following amendments filed by McClune of Mahaska were taken up and considered:

(1) Amend House File No. 277, section 4-a1, by striking out all of lines one (1) to nine (9), inclusive, and substituting in lieu thereof the following:

"All motor vehicles owned by the government and used in the transaction of official business by the representatives of foreign powers or by officers, boards or departments of the government of the United States, and by the state of Iowa, counties, municipalities and other subdivisions of government, and such self-propelling vehicles as are used neither for the conveyance of persons for hire, pleasure or business nor for the transportation of freight, and small trailers, under one thousand pounds capacity,

equipped with rubber tires, used with pleasure motor vehicles and used for carrying personal baggage or effects, are hereby exempted from the payment of the fees in this chapter prescribed, but shall not be exempt from the penalties herein provided. The department shall furnish, on application, free of charge, distinguishing plates for motor vehicles thus exempted and keep a separate record thereof."

(2) Amend section 13 by inserting a period (.) after the word "obscured" in line five (5) and striking out all the rest of the section.

(3) Amend section 54 by inserting between lines ten (10) and eleven (11) the following:

"Trailers with capacity of 2 tons, but not exceeding 3 ton capacity \$20.00".

Also by inserting between lines nineteen (19) and twenty (20) the following:

"Trailers with ½ ton, but not exceeding 1 ton capacity \$15.00".

Also by striking out the figures "\$5.00" following line twenty-one (21) and inserting in lieu thereof the figures "\$20.00".

Also by striking out the figures "\$15.00" following line twenty-three (23) and inserting in lieu thereof the figures "\$25.00".

(4) Amend section 107 by striking out of line one (1) the words "fifteenth day of July" and inserting in lieu thereof "first day of September".

(5) Amend section 119 by striking out all following the word "and" in line four (4) and substituting therefor the words "credited to the primary road fund".

(6) Amend section 189 by inserting after the word "auditorium" in line three (3) a comma (,) and the word "hotel".

On motion of McClune the amendments were adopted.

The following amendment filed by Wilson of Tama was taken up and considered:

Amend House File No. 277 by changing the period at the end of section 167 to a comma and adding thereto the following: "provided, however, that such vehicles coming from alleys and private drives, where view is obstructed, shall stop immediately before entering a public street or highway."

On motion of Mr. Wilson the amendment was adopted.

Himebauch of Emmet offered the following amendments and moved their adoption:

Amend House File No. 277, section 138, by inserting after the word "shall" in line one (1) thereof the following: "not later than November 15th of each year"; also, amend by striking out all of section 139.

**Amendments adopted.**

Himebauch of Emmet offered the following amendment and moved its adoption:

Amend section 176 of House File No. 277 by striking out all of lines two (2) and three (3) after the word "bicycles" in line two (2) thereof.

Amendment was rejected.

McClune of Mahaska offered the following amendment to House File No. 277 and moved its adoption:

Amend section one (1) by striking all of subsection one (1) and inserting in lieu thereof the following:

1. The term "motor vehicle" except where otherwise expressly provided shall include all vehicles propelled by any power other than muscular power, except traction engines, road rollers, fire wagons and engines, police patrols, city and town ambulances, city and government vehicles, clearly marked as such, and such vehicles as are run only upon tracks or rails.

Amendment adopted.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend House File No. 277 by striking the period (.) at the end of subsection 2 of section 1 and adding thereto the following: ", boards of supervisors and township trustees."

Amendment adopted.

Children of Pottawattamie offered the following amendments and moved their adoption:

Amend the title to House File No. 277 by striking out the word "to" in line three (3) thereof and inserting in lieu thereof the following: ", thirty hundred forty-two (3042) and"; also, amend by striking from line four (4) thereof following the figures "(3044)" the following: "inclusive,,"; also, amend the subenacting clause by striking out the word "to" in line three (3) and inserting in lieu thereof the following: ", thirty hundred forty-two (3042) and"; also, amend by striking from line four (4) thereof following the figures "(3044)" the following: "inclusive,,".

Amendments adopted.

McClune of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Aiken	Garber of Floyd	Long	Rust
Anderson of Webster	Gesman	Lovrien	Sampson
Berry	Gibson	McClune	Saunders
Blake	Gilbert	Mathews	Schirmer
Blume	Gilbertson	Matthiesen	Schulte
Bradley	Gilmore	Moen	Scott of Appanoose
Brady	Grimwood	Napier	Scott of Fremont
Brittain	Hansen	Natvig	Slemmons
Buffington	Harrison	Noble	Smith of Chickasaw
Carter	Hauge	O'Donnell	Smith of Lucas
Children	Healy	Olson	Stock
Clark	Held	Ontjes	Stookesberry
Colbert	Hempel	Parsons	Strippel
Cole	Henderson	Patterson	Ulstad
Cole	Himebauch	Peterson	Venard
Criswell	Hollis	Potts	Vincent
Diltz	Huff	Powers	Wamstad
Donhowe	Johnson	Quirk	Weber
Doolittle	King	Ramsey	Wilson
Dotts	Knutson	Rassler	Wolfe
Edge	Lake	Rewoldt	Yenter
Edson	Leonard	Rhinehart	Mr. Speaker—95
Fackler	Letts	Robson	
Gallagher	Lichty	Rumley	
Garber of Adair	Lieberknecht		

## The nays were:

Dooley	Forsling	Frahm	Miller—4
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## Absent or not voting:

Dewar	Hattendorf	Orr	Storey
Elliott	Oliver	Rankin	Williams—9
Graham			

So the bill having received a constitutional majority was declared to have passed the House 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 adopted the conference committee report, and concurred in the amendments proposed therein, on Substitute for House File No. 54, a bill for an act relating to propagation and protection of fish, game, wild birds, and animals.

Also, that the Senate has amended and concurred in the House amendment to Senate File No. 7, a bill for an act relating to the duties of the governor.

LEON W. AINSWORTH, *Secretary.*

SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE FILE  
NO. 7

Strike out all after the enacting clause down to section thirty (30) and insert in lieu thereof the following:

"That sections ninety-four (94), two hundred seventy-two (272) and two hundred seventy-three (273) of the compiled code of Iowa are amended, revised, and codified to read as follows:

CHAPTER 1.

State Budget Board

Section 1. State Budget Board.

There is hereby created a State Budget Board, which shall consist of three (3) members who shall be selected from the state at large solely with regard to their qualifications and fitness to discharge the duties of the office. Not more than two (2) members shall be of the same political party.

Sec. 2. Term of office.

The regular term of each member of the said board shall be for six years and the term of one member shall expire on the first day of July of each odd-numbered year.

Sec. 3. Appointment.

During the regular session of the Forty-first General Assembly, the Governor shall, with the approval of two-thirds ( $\frac{2}{3}$ ) of the members of the senate in executive session, appoint one member of said board to serve for two years from July 1st next following, one for four years, and one for six years, and during each regular session of the legislature thereafter, the Governor shall appoint one member to succeed the member whose term expires on the first day of July thereafter.

Sec. 4. Confirmation.

No nomination shall be considered by the senate until the same has been referred to a committee of five (5), not more than three (3) of whom shall belong to the same political party. Said committee shall be appointed by the president of the senate, without motion, and shall report to the senate in executive session. Such report shall be made at any time when called for by the senate. The consideration of nominations by the senate shall not be had on the same legislative day that nominations are so referred.

Sec. 5. Removals.

The Governor, with the approval of a majority of the senate during a session of the general assembly, may remove any member of the board for malfeasance in office, or for any cause which would render him ineligible for appointment or incapable or unfit to discharge the duties of his office, and his removal, when so made, shall be final.

**Sec. 6. Suspension.**

When the general assembly is not in session, the Governor may suspend any member so disqualified and shall appoint another to fill the vacancy thus created, subject to the approval of the senate when next in session.

**Sec. 7. Vacancies.**

All vacancies on said board which may occur when the general assembly is not in session shall be filled by appointment by the Governor, which appointment shall expire at the end of thirty (30) days after the general assembly next convenes. Vacancies occurring during a session of the general assembly shall be filled before the end of said session in the same manner in which regular appointments are required to be made.

**Sec. 8. Temporary appointments.**

The Governor shall submit to the senate, at the second adjourned extra session of the Fortieth General Assembly, the names of three (3) persons appointed by him as members of said board to hold office until the first day of July, nineteen hundred twenty-five (1925), and the provisions of sections three (3) to seven (7) inclusive shall, so far as applicable, govern said appointments.

**Sec. 9. Meetings.**

The board shall elect one of its members as chairman and another as secretary and shall be furnished an office at the seat of government and may hold meetings at such times and places in the state as it may determine.

**Sec. 10. Duties of chairman and secretary.**

The chairman shall preside at all meetings of the board and be the executive officer thereof, and the secretary shall keep a complete record of all proceedings of the board, in which shall be entered the vote of each member on all final decisions, and a file of all reports of departments and all reports made by members of the board or others conducting examinations and all such other matters as the board may direct, which records and files shall at all reasonable times be open to examination by any person interested.

**Sec. 11. State accountant and employees.**

The board shall appoint a state accountant and such assistants and other employees and agents as may be necessary properly to perform its duties, and shall prescribe their duties.

**Sec. 12. General powers of the board.**

The board shall have power, and it is hereby made its duty, to carry out and enforce all the provisions of this act, and to conduct hearings on all matters within its jurisdiction and render decisions thereon. It shall adopt rules governing appeals, hearings, and the determination of questions which may come before it, and such other rules as it may deem necessary.

**Sec. 13. Additional powers of the board.**

The board shall have power to cause any of the hearings provided for

in this act, not specially required to be held by the board itself, to be held by any member of the board, the state accountant, or by any special agent appointed by the board for that purpose.

**Sec. 14. Power to compel production of evidence.**

Any member of the board, the state accountant, or any other person appointed by the board to conduct any examination or hearing, shall have power to subpoena witnesses, administer oaths to them, and compel witnesses to produce books, letters, documents, papers, statistics and all other articles deemed essential to a full understanding of the matter under investigation.

**Sec. 15. Refusal to obey subpoena.**

Any witness failing to obey such subpoena shall be guilty of contempt and on report of such failure to the district court of the county in which such refusal occurs, such witness shall be punished for contempt by fine not exceeding one hundred dollars (\$100.00).

**Sec. 16. Immunity of witness from prosecution.**

No witness shall be exempt from testifying to any matter in any proceeding under the provisions of this act or from producing any books, papers, letters, or other documents or articles on the ground that the same would tend to render him criminally liable or to expose him to public ignominy, but such witness shall not be prosecuted for any crime which such testimony or evidence tends to prove or to which the same relates. This section shall not exempt any person from prosecution for perjury.

**Sec. 17. Hearings by board.**

In case any hearing is held by a member of the board, the state accountant or a special agent, he shall file with the board the petition and other documents and a written report of the facts submitted at such hearing and his recommendation in respect thereto. The board shall promptly determine all matters submitted to it directly, or on reports of persons conducting hearings. The decisions of the board when so indicated shall be final.

**Sec. 18. Salaries.**

The executive council shall, until July first, nineteen hundred twenty-five (1925), and until otherwise provided by law, fix the salaries of the members of the board and the state accountant, and approve the number of assistants and other employees of the board and their salaries.

**Sec. 19. Expenses.**

The members of the board, the state accountant and assistants, and other employees of the board shall be allowed their actual and necessary traveling expenses while in the performance of their duties and away from the seat of government.

## CHAPTER 2

## Sec. 20. Reports to State Budget Board by departments.

On or before the first day of September, nineteen hundred twenty-four (1924), and on or before the first day of September biennially thereafter, every department of the state, except the legislative department, shall furnish the budget board with:

1. A detailed estimate of receipts of such department from all sources except appropriations for the ensuing biennium and a comparison of such receipts with like receipts of such department for the last two preceding bienniums.

2. An estimate of the needs of such department for the ensuing biennium, together with a comparison of all the expenditures of such department for the last two preceding bienniums.

3. Any other information that the budget board may require.

Each department shall set out in detail the reasons for the estimated needs contained in such reports.

## Sec. 21. Blanks.

Blanks for such reports shall be furnished by the budget board not later than the first day of August, nineteen hundred twenty-four (1924), and not later than the first day of July of each even-numbered year thereafter.

## Sec. 22. Examinations and investigations.

The budget board shall have authority to make, or cause to be made, such examinations and investigations into the operation of any department as in its discretion may be necessary.

## Sec. 23. Assistance of departments.

Every department of the state government, when requested by the board, shall render assistance to it in connection with the preparation of the budget report, budget bill and auditing accounts.

## Sec. 24. Hearings on reports of departments.

After the filing of said reports, the state budget board shall hold public hearings at which the heads of departments, the heads of all institutions under the state board of education and state board of control, and all taxpayers, or associations of taxpayers desiring to be heard, may be heard in relation to the matters referred to in said reports. A schedule of the time and place of hearings and due public notice thereof shall be given by the board.

## Sec. 25. Duties of the board—budget report.

The board shall prepare and file in its office, on or before the first day of November of each even-numbered year, a state budget report, which shall show in detail the following:

1. Classified estimates in detail of the expenditures necessary, in its judgment, for the support of each department and each institution and department thereof for the ensuing bienniums.

2. A schedule showing a comparison of such estimates with the expenditures of like character for the last two preceding bienniums.

3. A statement setting forth in detail its reasons for any recommended increases or decreases in the estimated requirements of the various departments, institutions and departments thereof.

4. Estimates of all receipts of the state other than from direct taxation and the sources thereof for the ensuing biennium.

5. A comparison of such estimates with receipts of a like character for the last two preceding bienniums.

6. The expenditures and receipts of the state for the last completed fiscal year and estimates of the expenditures and receipts of the state for the current fiscal year.

7. A detailed statement of all appropriations made during the two preceding bienniums, also of unexpended balances of appropriations at the end of the last fiscal year and such balances at the date of the budget report.

8. Estimates in detail of the appropriations necessary to meet the requirements of the several departments and institutions for the next biennium.

9. Statements showing

(a) The condition of the treasury at the end of the last fiscal year.

(b) The estimated condition of the treasury at the end of the current fiscal year.

(c) The estimated condition of the treasury at the end of the next biennium, if its recommendations are adopted.

(d) An estimate of the taxable value of all the property within the state.

(e) The estimated aggregate amount necessary to be raised by a state levy.

(f) The millage necessary to produce such amount.

(g) Such other data or information as the board may deem advisable.

Sec. 26. Appropriation bill.

The board shall not later than the first day of December, nineteen hundred twenty-four (1924), and on the same day biennially thereafter, prepare a state appropriation bill and transmit the same to the Governor, together with the state budget report, the minority report, if any, and such other explanatory matter as in its judgment will be of value to him in making his recommendations to the general assembly and to the general assembly on the consideration of said bill.

Sec. 27. Governor to transmit bill and budget report.

The governor shall at the time of delivering his biennial message transmit to the general assembly a copy of such report and minority report, if any, said appropriation bill and explanations and recommendations of the budget board, together with his observations and recommendations

thereon, all of which shall be referred by the president of the senate and the speaker of the house to the respective appropriation committees.

**Sec. 28. Annual settlements.**

The budget board shall annually, and oftener if deemed necessary, make a full settlement between the state and all state officers and departments and all persons receiving or expending state funds, and shall annually make a complete audit of the books and accounts of every department of the state.

**Sec. 29. Duties of state accountant.**

The state accountant shall, under the direction of the budget board, supervise and be responsible for the auditing of the books and accounts of all departments of the state.

**Sec. 30. Report of audits.**

The state accountant shall, in writing, make a report of all audits and examinations so made, to the state budget board and in detail set out the following:

1. The actual condition of each department found to exist on every examination.
2. Whether, in his opinion,
  - (a) All funds have been expended for the purpose for which appropriated.
  - (b) The department so audited and examined is efficiently conducted, and if the maximum results for the money expended are obtained.
  - (c) The work of the department so audited or examined needlessly conflicts with or duplicates the work done by any other department.
3. All illegal or unbusinesslike practices.
4. Any recommendations for greater simplicity, accuracy, efficiency, or economy in the operation of the business of the several departments and institutions.
5. Comparisons of prices paid and terms obtained by the various departments for goods and services of like character and reasons for differences therein, if any.
6. Any other information which, in his judgment, may be of value to the state budget board.

**Sec. 31. Method of accounting.**

Each department and institution of the state shall keep its records and accounts in such form and by such methods as to be able to exhibit in its reports the matters required by the state budget board, unless otherwise specifically prescribed by law. The failure of the head of any department of the state to comply with this provision shall be ground for his suspension from office.

**Sec. 32. Transfer of appropriations.**

No appropriation nor any part thereof shall be used for any other purpose than that for which it was made without specific authority of the general assembly.

**Sec. 33. Certain powers reserved.**

Except as herein otherwise specially provided, nothing in this act shall interfere with the powers of the state board of education or the state board of control over, nor with their policies in respect to, the management of the institutions under their control.

**Sec. 34. Definitions.**

Unless otherwise required by the context, the word "department" as used in this act shall mean and include all departments of the state and the governing boards of state institutions and all other persons and boards otherwise charged by law with responsibility for the receipt or expenditure of any state funds.

**Sec. 35. Definition of terms.**

The words "public improvement" as used in this chapter shall mean any building or other construction work to be paid for by the use of funds of any municipality.

The word "municipality" as used in this chapter shall mean county, except in the exercise of its power to make contracts for primary road improvements, city, including those acting under special charter, town, township, school district and drainage district.

**Sec. 36. Notice of hearing on public contracts.**

Before any municipality shall enter into any contract for any public improvement to cost five thousand dollars (\$5,000.00) or more, the governing body proposing to make such contract shall adopt proposed plans and specifications and proposed form of contract therefor, fix a time and place for hearing thereon at such municipality affected thereby or other nearby convenient place, and give notice thereof by publication in at least one newspaper of general circulation in such municipality at least ten (10) days before said hearing.

**Sec. 37. Objections filed—hearing—decision.**

At such hearing, any person interested may appear and file objections to the proposed plans, specifications or contract for, or cost of such improvement. The governing body of the municipality proposing to enter into such contract shall hear said objections and any evidence for or against the same, and enter of record its decision thereon.

**Sec. 38. Appeal—limitation.**

Any ten objectors may appeal from such decision to the state budget board by serving notice thereof on the clerk or secretary of such municipality within ten (10) days after such decision is entered of record, provided that

1. For all school districts except independent school districts in cities and towns and consolidated school districts, and for towns and townships, the amount involved is five thousand dollars (\$5,000.00) or more,

2. For counties, drainage districts, cities of the second class and for consolidated school districts and for independent school districts in whole

or in part in cities of the second class, ten thousand dollars (\$10,000.00) or more.

3. For cities of the first class, including cities under special charter, and for school districts in whole or in part in cities of the first class and in cities under special charter, twenty-five thousand dollars (\$25,000.00) or more.

Sec. 39. Information certified to budget board.

In case an appeal is taken, such body shall forthwith certify and submit to the state budget board for examination and review the following:

1. A copy of the plans and specifications for such improvement.
2. A copy of the proposed contract.
3. An estimate of the cost of such improvement.
4. A report of the kind and amount of security proposed to be given for the faithful performance of the contract and the cost of such security.
5. A copy of the objections, if any, which have been urged by any taxpayer against the proposed plans, specifications or contract, or the cost of such improvement.
6. A separate estimate of the architect's or engineer's fees and cost of supervision.
7. A statement of the taxable value of the property within the municipality proposing to make such improvement.
8. A statement of the several rates of levy of taxes in such municipality for each fund.
9. A detailed statement of the bonded and other indebtedness of such municipality.

Sec. 40. Notice of hearing on appeal.

The budget board shall forthwith fix a time and place in the municipality or nearby convenient place for hearing said appeal, and notice of such hearing shall be given by registered mail to the executive officer of the municipality, and to the first five (5) persons whose names appear upon the notice of appeal, at least ten (10) days before the date fixed for such hearing.

Sec. 41. Hearing and decision.

At such hearing, the appellants and any other interested person may appear and be heard. The board shall examine, with the aid of competent assistants, the entire record, and if the board shall find that the plans and specifications and form of contract are suitable for the improvement proposed and that it is for the best interests of the municipality and that such improvements can be made within the estimates therefor, the board shall approve the same. Otherwise the board shall recommend such modifications of the plans, specifications, or contract, as in its judgment shall be for the public benefit, and if such modifications are so made, the board shall approve the same. The board shall certify its decision to the body proposing to enter into such contract, whereupon the municipality shall advertise for bids and let the contract subject to the approval of

the budget board, which shall at once render its final decision thereon and transmit the same to the municipality. In drainage improvements the only matter to be considered on appeal will be the reasonableness of the contract for the construction of the said drainage improvement.

Sec. 42. Contracts entered into without approval of board void.

If an appeal is taken, no contract for public improvements shall be valid unless the same is finally approved by the budget board. In no case shall any municipality expend for any public improvement any sum in excess of five per cent (5%) more than the contract price without the approval of the budget board.

Sec. 43. Witness fees—costs.

Witness fees and mileage for witnesses on hearing appeals shall be the same as in the district court; but objectors or appellants shall not be allowed witness fees or mileage. Costs of hearings and appeals shall be paid by the municipality.

Sec. 44. Report on completion.

Upon the completion of the improvement the executive officer or governing board of the municipality shall file with the budget board a verified report showing:

1. The location and character of the improvement.
2. The total contract price for the completed improvement.
3. The total actual cost of the completed improvement.
4. By whom if any one, the construction was supervised.
5. By whom final inspection was made.
6. Whether or not the improvement complies with its contract, plans and specifications.
7. Any failure of the contractor to comply with the plans and specifications.

#### CHAPTER 4.

Sec. 45. Definition of terms.

This chapter shall be known as the "local budget law".

As used in this chapter and unless otherwise required by the context:

1. The word "municipality" shall mean the county, city, town, township, school district, road district, drainage district, and all other public bodies or corporations that have power to levy a tax or certify a tax or sum of money to be collected by taxation.

2. The words "levying board" shall mean board of supervisors of the county and any other public body or corporation that has power to levy a tax.

3. The words "certifying board" shall mean any public body which has the power or duty to certify any tax to be levied or sum of money to be collected by taxation.

4. The words "fiscal year" shall mean the year ending on the thirtieth

day of June, and any other period of twelve (12) months constituting a fiscal period, and ending at any other time.

5. The word "tax" shall mean any general or special tax or any special assessment levied against persons, property, or business, at certain intervals of time and for public purposes as prescribed by law.

6. The words "current year" shall mean the present fiscal year.

#### Sec. 46. Requirements of local budget.

No municipality shall certify or levy in any year any tax or assessment on property subject to taxation unless and until the following estimates have been made, filed, and considered, as hereinafter provided.

1. The amount of income thereof for the several funds from sources other than taxation.

2. The amount proposed to be raised by taxation.

3. The amount proposed to be expended in each and every fund and for each and every purpose during the fiscal year next ensuing.

#### Sec. 47. Time of filing estimates.

All such estimates and any other estimates required by law shall be made and filed a sufficient length of time in advance of any regular or special meeting of the certifying board or levying board, as the case may be, at which tax levies are authorized to be made to permit publication, discussion, and consideration thereof and action thereon as hereinafter provided.

#### Sec. 48. Estimates itemized.

The estimates herein required shall be fully itemized and classified so as to show each particular class of proposed expenditure, showing under separate heads the amount required in such manner and form as shall be prescribed by the state budget board.

#### Sec. 49. Estimate for emergencies.

Each municipality may include in the estimate herein required an estimate for emergency or other expenditure which amount cannot reasonably be foreseen at the time the estimates are made, and such emergency fund shall be used for no other purpose.

#### Sec. 50. Estimated amount to be raised by taxation.

The amount of the difference between the receipts estimated from all sources other than taxation and the estimated expenditures for all purposes, including the estimates for emergency expenditures, shall be the estimated amount to be raised by taxation upon the assessable property within the municipality for the next ensuing fiscal year. The estimate shall show the number of dollars of taxation for each thousand dollars of the assessed value of all property that is assessed.

#### Sec. 51. Filing estimates—notice of hearing.

Each municipality shall file with the secretary or clerk thereof the estimates required to be made in the five preceding sections at least twenty (20) days before the date fixed by law for certifying the same to the levying board and shall forthwith fix a date for a hearing thereon,

and shall publish a notice of the time when and the place where such hearing shall be held at least ten (10) days before the hearing. For the county and any municipality embraced within the county seat, such publication shall be in an official newspaper published at the county seat. For a municipality outside the county seat in which a newspaper is published, such publication shall be in a newspaper of general circulation in said municipality.

**Sec. 52. Meeting for review of local budget.**

The certifying board or the levying board, as the case may be, shall meet at the time and place designated in said notice, at which meeting any person who would be subject to such tax levy, shall be heard in favor of or against the same or any part thereof.

**Sec. 53. Record by certifying board.**

After the hearing has been concluded, the certifying board shall enter of record its decision, also the amount of the separate appropriations for each fund in the manner and form prescribed by the budget board, and shall certify the same to the levying board, which board shall enter upon the current assessment and tax roll the amount of taxes which it finds shall be levied for the current year in each municipality for which it makes the tax levy in case no appeal is taken. Any board which has the power to levy a tax without first being certified to it, shall follow the same procedure for hearings as is hereinbefore required of certifying boards.

**Sec. 54. Tax limited.**

No greater tax than that so entered upon the record shall be levied or collected for the municipality proposing such tax for the purpose or purposes indicated; and thereafter no greater expenditure of public money shall be made for any specific purpose than the amount estimated and appropriated therefor, except as provided in sections forty-nine (49) and fifty-five (55).

**Sec. 55. Further tax limitation.**

No tax shall be levied by any municipality in excess of the estimates published and five per cent (5%) additional, except such taxes as are approved by a vote of the people, but in no case shall any tax levy be in excess of any limitation imposed thereon now or hereafter by the constitution and laws of the state.

**Sec. 56. Expenses—how paid.**

The cost of publishing the notices and estimates required by this chapter, and the actual and necessary expenses of preparing the budget, shall be paid out of the general funds of each municipality respectively.

**Sec. 57. Budgets to be certified.**

The local budgets of the various municipalities shall be certified by the chairman of the certifying board or the levying board, as the case may be, in duplicate to the county auditor not later than the fifteenth (15th) day of August each year thereof on blanks prepared by the budget board, and according to rules and instructions which shall be furnished

all certifying and levying boards in printed form by said budget board. One copy of said budget shall be retained on file in his office by the county auditor, and the other shall be certified by him to the budget board.

**Sec. 58. Summary of budget.**

Before forwarding copies of local budgets to the budget board, the county auditor shall prepare a summary of each budget, showing the condition of the various funds for the fiscal year, including the budgets adopted as herein provided. Said summary shall be printed as a part of the annual financial report of the county auditor, and one copy shall be certified by him to the budget board.

**Sec. 59. Appeal.**

Fifty (50) or more taxpayers in any municipality having a population of sixty thousand (60,000) or more, twenty-five (25) taxpayers in any municipality having a population of less than sixty thousand (60,000) and more than fifteen thousand (15,000), ten (10) taxpayers in any municipality having a population of less than fifteen thousand (15,000) and over one thousand (1,000), and five (5) or more taxpayers in all other municipalities affected by any such levy or any item thereof, may file a petition with the county auditor of the county in which such municipality is located, within ten (10) days after the hearing, setting forth their objections to said levy or any item thereof. Upon the filing of any such petition, the county auditor shall immediately certify a copy of said petition with such other information as may be necessary to present the questions involved, to the budget board, which shall have the power to affirm or decrease said total tax levy or any item thereof of any such municipality after a hearing, as hereinafter provided.

**Sec. 60. Hearing notice.**

The budget board shall forthwith fix a time and place in the municipality or nearby convenient place for hearing evidence and arguments on said petition, and notice of such hearing shall be given by registered mail to the executive officer of the municipality, and to the first five (5) taxpayers whose names appear upon such petition, at least ten (10) days before the date fixed for such hearing. After the hearing upon such petition, the budget board shall thereupon certify its decision with respect thereto to the clerk or secretary of the levying board, and such decision of the budget board thereon shall be final.

**Sec. 61. Levying board to spread tax rates.**

At the time required by law the levying board shall spread the tax rates necessary to produce the amount required for the various funds of the municipality as certified by the certifying board and as approved by the budget board, if an appeal is taken, for the next succeeding year, as shown in the approved budget in the manner provided by law. One copy of said rates shall be certified to the budget board.

**Sec. 62. Tax rates to stand.**

The several tax rates and levies of the municipalities thus determined and certified in the manner provided in the preceding sections, except

such as are authorized by a vote of the people, shall stand as the tax rates and levies of said municipality for the year next succeeding for the purposes set out in the budget.

**Sec. 63. Transfer of funds.**

Subject to the provisions of any law relating to municipalities, when the necessity for maintaining any fund of the municipality has ceased to exist, and a balance remains in said fund, the certifying board or levying board, as the case may be, shall so declare by resolution, and upon such declaration, such balance shall forthwith be transferred to the general or contingent fund of the municipality, unless other provisions have been made in creating such fund in which such balance remains.

**Sec. 64. Return of funds transferred.**

Subject to the provisions of law relating to municipalities, and upon the approval of the budget board, it shall be lawful to transfer money from one fund of a municipality to another fund thereof, and the certifying board or levying board, as the case may be, shall provide that money so transferred must be returned to the fund from which it was transferred as soon as may be, provided, that it shall not be necessary to return to the emergency fund or to any other fund no longer required, any moneys transferred therefrom to any other fund.

**Sec. 65. Notice of meeting for issuance of bonds.**

Before any municipality shall institute proceedings for the issuance of any bonds or other evidence of indebtedness, excepting such bonds or other evidence of indebtedness as have been authorized by a vote of the people of such municipality, and except such bonds or obligations as it may be by law compelled to issue, a notice of such action, including a statement of the amount and purpose of said bonds or other evidence of indebtedness shall be published at least once in a newspaper of general circulation within such municipality at least ten (10) days before the meeting at which it is proposed to issue such bonds.

**Sec. 66. Objections may be filed.**

At any time before the date fixed for the issuance of such bonds or other evidence of indebtedness, five (5) or more taxpayers may file a petition in the office of the clerk or secretary of the municipality setting forth their objections thereto.

**Sec. 67. Notice of hearing on objections.**

Upon the filing of any such petition, the clerk or secretary of such municipality shall immediately certify a copy thereof, together with such other data as may be necessary in order to present the questions involved, to the budget board, and upon receipt of such certificate, petition and information, the budget board shall fix a time and place for the hearing of such matter, which shall be not less than ten (10) or more than thirty (30) days thereafter, and said hearing shall be held in the municipality in which it is proposed to issue such bonds or other evidence of indebtedness, or in some other nearby convenient place fixed by the budget board. Notice of such hearing shall be given by registered mail to the executive officer of the municipality and to the five

(5) persons whose names first appear on the petition at least ten (10) days before the date of such hearing.

Sec. 68. Appeal—decision.

The budget board shall determine the matter and its decision shall be final. The same shall be certified to the executive officer of the municipality affected. In case there is no appeal, the board of the municipality affected may issue such bonds or other evidence of indebtedness, if legally authorized so to do, in accordance with the proposition published, but in no greater amount. In case of an appeal, the municipality may issue such bonds or other evidence of indebtedness in accordance with the decision of the budget board.

Sec. 69. Bonds issued or taxes levied contrary to this act void.

Any bonds or other evidence of indebtedness issued contrary to the provisions of this act, and any tax levied or attempted to be levied for the payment of any such bonds or interest thereon, shall be null and void.

Sec. 70. Budget board to supervise certifying and levying boards and prescribe rules.

The budget board shall exercise general supervision over the certifying boards and levying boards of all municipalities and shall prescribe for them all necessary rules, instructions, forms, and schedules. The best methods of accountancy and statistical statements shall be used in compiling and tabulating all data required by this act.

Sec. 71. Penalty for failure to perform duties.

Failure on the part of any public official to perform any of the duties prescribed in this act shall constitute a misdemeanor, and shall be sufficient ground for removal from office.

Sec. 72. Annual report to governor.

The budget board shall make an annual report to the governor setting forth the essential facts and statistical data regarding its administration of this act.

#### CONSIDERATION OF SENATE AMENDMENTS

Moen of Lyon asked unanimous consent to consider at this time the Senate amendments to the House amendments to Senate File No. 7, a bill for an act relating to the duties of the Governor.

Objection was made.

Moen of Lyon moved that the Senate amendments to the House amendments to Senate File No. 7 be considered at this time.

The motion, having received a two-thirds majority, prevailed.

Moen of Lyon moved that the House refuse to concur in the Senate amendments to the House amendments to Senate File No. 7.

## On the question "Shall the House concur?"

## The ayes were:

Blake	Edson	Hansen	Rankin
Bradley	Forsling	Himebauch	Rhinehart
Clark	Garber of Adair	Letts	Saunders
Diltz	Gilmore	O'Donnell	Yenter—18
Doolittle	Grimwood		

## The nays were:

Aiken	Gilbert	Miller	Schulte
Anderson of Webster	Gilbertson	Moen	Scott of Appanoose
Berry	Harrison	Napier	Scott of Fremont
Blume	Hauge	Natvig	Slemmons
Brady	Healy	Noble	Smith of
Brittain	Held	Olson	Chickasaw
Buffington	Hempel	Ontjes	Smith of Lucas
Carter	Henderson	Parsons	Stock
Children	Hollis	Patterson	Stookesberry
Colbert	Huff	Peterson	Storey
Crisswell	Johnson	Potts	Strippel
Donhowe	King	Powers	Ulstad
Dooley	Knutson	Quirk	Venard
Dotts	Lake	Ramsey	Vincent
Edge	Leonard	Rassler	Wamstad
Fackler	Lichty	Rewoldt	Weber
Frahm	Lieberknecht	Robson	Wilson
Gallagher	Long	Rumley	Wolfe
Garber of Floyd	Lovrien	Rust	Mr. Speaker—82
Gesman	McClune	Sampson	
Gibson	Mathews	Schirmier	
	Matthiesen		

## Absent or not voting:

Cole	Elliott	Hattendorf	Orr
Dewar	Graham	Oliver	Williams--8

The House refused to concur in the Senate amendments to the House amendments to Senate File No. 7.

## CONSIDERATION OF BILLS

## SPECIAL ORDER NO. 3

Senate File No. 283, a bill for an act to amend, revise, and codify sections nine hundred twenty (920) to nine hundred fifty-one (951), inclusive, and nine hundred eighty (980) of the compiled code of Iowa, relating to the sale and transportation of intoxicating liquors under permits, with report of committee recommending amendment and passage, was taken up for further consideration.

Doolittle of Delaware in the chair.

The amendments proposed by the committee, found in the Journal of March 21st, were taken up and considered.

On motion of Lovrien of Humboldt committee amendments Nos. 1 to 6, inclusive, were adopted.

On motion of Lovrien of Humboldt committee amendment No. 8 was adopted.

Lovrien of Humboldt offered the following amendments to committee amendment No. 9 and moved their adoption:

Amend committee amendment No. 9, section 25-a3, by striking out the word "fifteenth" in line one (1) thereof and inserting in lieu thereof the word "twentieth"; also, by striking out the words "March, May" in line two (2) thereof and inserting in lieu thereof the word "April"; also, by striking out the word "September,"; also, by striking out the word "November" and inserting in lieu thereof the word "October"; also, amend line five (5) by striking out the word "two" and inserting in lieu thereof the word "three".

Amendments adopted.

On motion of Lovrien of Humboldt committee amendment No. 9, as amended, was adopted.

On motion of Lovrien of Humboldt committee amendments Nos. 10, 11 and 12 were adopted.

Lovrien of Humboldt moved the adoption of committee amendment No. 15.

Blake of Fayette moved as a substitute for the motion of Lovrien of Humboldt that all remaining committee amendments, except committee amendment No. 7, be adopted.

Substitute motion prevailed.

Bradley of Poweshiek offered the following amendment to committee amendment No. 7 and moved its adoption:

Amend committee amendment No. 7 by striking therefrom the last paragraph.

Amendment adopted.

On motion of Lovrien of Humboldt committee amendment No. 7, as amended, was adopted.

Rankin of Lee offered the following amendment and moved its adoption:

Amend Senate File No. 283, section 34, line 1, by striking therefrom the word "and" and inserting in lieu thereof the word "or".

Amendment adopted.

Bradley of Poweshiek offered the following amendment and moved its adoption:

Amend Senate File No. 283 by striking from the first three lines of section 65-a1, as the section now appears on page 41 of the reprinted bill, the following words: "Should a common carrier be unable to deliver a shipment of intoxicating liquors within fifteen (15) days after such shipment has reached its destination," and by inserting in lieu of said stricken words the following: "Should a consignee fail to comply with the law and obtain delivery of a shipment of intoxicating liquors within fifteen (15) days after notice to him by mail."

Amendment adopted.

Yenter of Johnson offered the following amendments and moved their adoption:

Amend Senate File No. 283 by inserting in subsection 4 of section 53 after the word "extract," in line 20 thereof the words "toilet articles and perfume"; also, amend section 72 by adding after the word "extracts," in line 1 thereof the words "toilet articles and perfume".

Amendments adopted.

Cole of Harrison offered the following amendment and moved its adoption:

Amend Senate File No. 283, section one (1) by striking out the last sentence thereof.

Amendment adopted.

Bradley of Poweshiek offered the following amendment to the sub-enacting clause preceding section one (1) and moved its adoption:

Amend by striking from the second line of the sub-enacting clause the following: "and nine hundred eighty (980)".

Amendment adopted.

Lovrien of Humboldt moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Bradley	Colbert	Dotts
Anderson of	Brady	Cole	Edge
Webster	Brittain	Criswell	Edson
Anderson of	Buffington	Diltz	Fackler
Winnebago	Carter	Donhowe	Forsling
Blake	Children	Dooley	Frahm
Blume	Clark	Doolittle	Gallagher

Garber of Adair	Johnson	Ontjes	Scott of
Garber of Floyd	King	Parsons	Appanoose
Gesman	Knutson	Patterson	Scott of Fremont
Gibson	Lake	Peterson	Slemmons
Gilbert	Leonard	Powers	Smith of
Gilbertson	Letts	Quirk	Chickasaw
Gilmore	Lichty	Ramsey	Smith of Lucas
Graham	Lieberknecht	Rassler	Stock
Grimwood	Long	Rewoldt	Stookesberry
Hansen	Lovrien	Rhinehart	Storey
Harrison	McClune	Robson	Ulstad
Hauge	Mathews	Rumley	Venard
Held	Matthiesen	Rust	Vincent
Hempel	Moen	Sampeon	Weber
Henderson	Napier	Saunders	Williams
Himebauch	Natvig	Schirmer	Wilson
Hollis	Noble	Schulte	Wolfe
Huff	Olson		Yenter—95

The nays were:

Strippel—1

Absent or not voting:

Berry	Healy	Oliver	Rankin
Dewar	Miller	Orr	Wamstad—12
Elliott	O'Donnell	Potts	
Hattendorf			

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### AMENDMENTS FILED

Moen of Lyon filed the following amendment to House File No. 84:

Amend House File No. 84 as follows:

- (1) Amend section 13 by inserting after the word "appropriated" in line one (1) the following: "until July 1, 1925,".
- (2) Amend section 56 by inserting in line three (3) after the word "appropriated" the following: "until July 1, 1925,".
- (3) Amend section 109 by inserting after the word "appropriated" in line 2 the following: "until July 1, 1925,".
- (4) Amend section 110 by inserting after the word "appropriated" in line 5 the following: "until July 1, 1925,".
- (5) Amend section 123 by adding after the word "appropriated" in line 5 the following: "until July 1, 1925,".
- (6) Amend section 126 by inserting after the word "appropriated" in line 3 the following: "until July 1, 1925,".
- (7) Amend section 130 by inserting after the word "appropriated" in line 1 the following: "until July 1, 1925,".
- (8) Amend section 140 by inserting after the word "appropriated" in line 2 the following: "until July 1, 1925,".

(9) Amend section 205 by inserting after the word "appropriated" in line 4 the following: "until July 1, 1925,".

(10) Amend section 206 by inserting after the word "appropriated" in line 4 the following: "until July 1, 1925,".

(11) Amend section 246 by inserting after the word "appropriated" in line 5 the following: "until July 1, 1925,".

(12) Amend section 253 by inserting after the word "appropriated" in line 1 the following: "until July 1, 1925,".

(13) Amend section 426 by inserting after the word "appropriated" in line 1 the following: "until July 1, 1925,".

(14) Amend section 444 by inserting after the word "appropriated" in line 1 the following: "until July 1, 1925,".

(15) Amend section 479 by inserting after the word "appropriated" in line 3 the following: "until July 1, 1925,".

(16) Amend section 480 by inserting after the word "appropriated" in line 10 the following: "until July 1, 1925,".

(17) Amend section 485 by inserting after the word "appropriated" in line 1 the following: "until July 1, 1925,".

Edson of Buena Vista filed the following amendment to Senate File No. 169 as a substitute for the amendment offered by Diltz of Polk to section 41, and all pending amendments thereto:

Substitute for the amendment by Diltz of Polk to section 41 and all pending amendments thereto the following:

Amend Senate File No. 169 by striking all of section 41 and inserting in lieu thereof the following:

Unless the owner of any lot or railway or street railway, the assessment against which is embraced in any bond or certificates provided for by law, shall, within thirty days from the date of such assessment, file written objection to the legality or regularity of the assessment or levy of such tax upon and against his property, such owner shall be deemed to have waived objection on these grounds and shall have the right to pay said assessment, with interest thereon not exceeding six per cent per annum, in ten equal installments. In no case shall the owner be liable for more than the value of the property included in such assessment. The cost of oiling the streets may not be paid in installments.

Forsling of Woodbury filed the following amendment to Senate File No. 169:

Amend Senate File No. 169, section 69, by striking from line five (5) thereof the words "if a waiver had" and inserting in lieu thereof the words "had not objections".

Criswell of Boone filed the following amendment to House File No. 305:

Amend House File No. 305 by striking out all after the enacting clause and substituting therefor the following:

That section thirty hundred eighty-one-a one (3081-a1), section thirty hundred eighty-one-a seven (3081-a7) and section thirty hundred eighty-one-a twelve (3081-a12) of the supplement to the compiled code of Iowa, are amended as follows:

Section 1. Definition.

That section thirty hundred eighty-one-a one (3081-a1) of the supplement to the compiled code of Iowa be amended by striking out of line eleven (11) the words "in the vicinity of and from a distributing point".

Sec. 2. Maximum load.

That section thirty hundred eighty-one-a seven (3081-a7) of the supplement to the compiled code of Iowa be amended by striking out of line three (3) the word "sixteen" and substituting therefor the word "twelve" and by striking out of line four (4) the word "twenty" and substituting therefor the word "fourteen".

Sec. 3. Violations and penalty.

That section thirty hundred eighty-one-a twelve (3081-a12) of the supplement to the compiled code of Iowa be amended by inserting between the word "herein" and the period (.) in line ten (10) the following: "and shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment".

Sec. 4. Publication clause.

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

Moen of Lyon filed the following amendment to House File No. 97:

Amend House File No. 97 as follows:

Amend section 16 by inserting after the word "appropriated" in line one (1) the following: "until July 1, 1925,".

Moen of Lyon filed the following amendment to House File No. 98:

Amend House File No. 98 as follows:

Amend section 7 by inserting after the word "appropriated" in line one (1) the following: "until July 1, 1925,".

On motion of Quirk of Sac the House adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 28, 1924.

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

Prayer was offered by the Rev. F. W. Simpson, pastor of the Methodist church, Boone, Iowa.

Journal of March 27th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Frahm of Carroll for the remainder of the week, on request of Blume of Crawford; Orr of Keokuk for the day, on account of illness, on request of Ressler of Pocahontas; Patterson of Kossuth for the remainder of the week, on request of Wamstad of Mitchell.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Graham of Wapello, House File No. 34, a bill for an act to amend, revise, and codify chapter twenty-one (21) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to removal from office, with Senate amendments, found in the House Journal of March 27th, was taken up and the amendments read and considered.

Mr. Graham moved that the House refuse to concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were:

Bradley	Garber of Floyd	McClune	Schirmer
Buffington	Hauge	Ramsey	Wamstad
Clark	Long	Rankin	Yenter—13
Gallagher			

The nays were:

Aiken	Berry	Brady	Children
Anderson	Blake	Brittain	Colbert
of Webster	Blume	Carter	Cole

Criswell	Healy	Napier	Scott of Fremont
Dewar	Held	Natvig	Slemmons
Donhowe	Hempel	O'Donnell	Smith
Dooley	Henderson	Ontjes	of Chickasaw
Doolittle	Hollis	Parsons	Stock
Dotts	Huff	Peterson	Stookesberry
Edge	Johnson	Quirk	Storey
Edson	King	Rassler	Strippel
Fackler	Knutson	Rewoldt	Ulstad
Gesman	Leonard	Robson	Venard
Gibson	Lichty	Rumley	Weber
Gilbert	Lieberknecht	Rust	Williams
Gilbertson	Lovrien	Saunders	Wilson
Graham	Mathews	Schulte	Mr. Speaker—71
Grimwood	Matthiesen	Scott	
Harrison	Moen	of Appanoose	

## Absent or not voting:

Diltz	Hansen	Noble	Powers
Elliott	Hattendorf	Oliver	Rhinehart
Forsling	Himebauch	Olson	Sampson
Frahm	Lake	Orr	Smith of Lucas
Garber of Adair	Letts	Patterson	Vincent
Gilmore	Miller	Potts	Wolfe—24

The House refused to concur in the Senate amendments to House File No. 34.

## REPORT OF CONFERENCE COMMITTEE CONSIDERED

The report of the conference committee on Senate File No. 119, found in the House Journal of March 27th, was taken up and considered.

Lovrien of Humboldt moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee on Senate File No. 119 and the amendments proposed by said conference committee be adopted?"

## The ayes were:

Blake	Donhowe	Graham	Lichty
Bradley	Doolittle	Grimwood	Lieberknecht
Brady	Dotts	Hansen	Long
Brittain	Edge	Harrison	Lovrien
Buffington	Edson	Hauge	Mathews
Carter	Fackler	Healy	Matthiesen
Clark	Forsling	Held	Moen
Colbert	Gallagher	Hempel	Napier
Cole	Garber of Floyd	Henderson	Natvig
Criswell	Gesman	Hollis	O'Donnell
Dewar	Gibson	Johnson	Ontjes
Diltz	Gilbertson	Knutson	Peterson

Powers	Rust	Smith	Weber
Quirk	Sampson	of Chickasaw	Wilson
Ramsey	Saunders	Storey	Wolfe
Rankin	Schirmer	Strippel	Yenter
Rewoldt	Schulte	Venard	Mr. Speaker—73
Robson	Scott of Fremont	Vincent	
Rumley	Stock	Wamstad	

The nays were:

Anderson	Dooley	Rassler	Slemmons
of Webster	Leonard	Scott	Stookesberry—10
Berry	Parsons	of Apanoose	
Blume			

Absent or not voting:

Aiken	Hattendorf	McClune	Patterson
Children	Himebauch	Miller	Potts
Elliott	Huff	Noble	Rhinehart
Frahm	King	Oliver	Smith of Lucas
Garber of Adair	Lake	Olson	Ulstad
Gilbert	Letts	Orr	Williams—25
Gilmore			

The report of the conference committee on Senate File No. 119 and the amendments proposed by said conference committee were adopted.

#### CONSIDERATION OF BILLS

##### SPECIAL ORDER NO. 1

House File No. 305, a bill for an act to amend section thirteen (13) of chapter ninety-seven (97) of the acts of the Fortieth General Assembly (S. C. C. 3081-a12), relating to the forfeiture of certificate of motor carriers and providing penalties for the violation of the statutes, rules and regulations promulgated thereunder, was taken up for consideration.

The following substitute amendment filed by Criswell of Boone was taken up and considered:

Amend House File No. 305 by striking out all after the enacting clause and substituting therefor the following:

That section thirty hundred eighty-one-a one (3081-a1), section thirty hundred eighty-one-a seven (3081-a7) and section thirty hundred eighty-one-a twelve (3081-a12) of the supplement to the compiled code of Iowa, are amended as follows:

##### Section 1. Definition.

That section thirty hundred eighty-one-a one (3081-a1) of the supplement to the compiled code of Iowa be amended by striking out of line eleven (11) the words "in the vicinity of and from a distributing point".

Sec. 2. Maximum load.

That section thirty hundred eighty-one-a seven (3081-a7) of the supplement to the compiled code of Iowa be amended by striking out of line three (3) the word "sixteen" and substituting therefor the word "twelve" and by striking out of line four (4) the word "twenty" and substituting therefor the word "fourteen".

Sec. 3. Violations and penalty.

That section thirty hundred eighty-one-a twelve (3081-a12) of the supplement to the compiled code of Iowa be amended by inserting between the word "herein" and the period (.) in line ten (10) the following: "and shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment".

Sec. 4. Publication clause.

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

McClune of Mahaska offered the following amendment to the substitute amendment and moved its adoption:

Amend substitute amendment to House File No. 305 by striking from line four (4) of section 2 the word "twelve" and inserting in lieu thereof the word "fourteen"; also, by striking from line five (5) of section 2 the word "fourteen" and inserting in lieu thereof the word "eighteen".

Amendment to the substitute amendment was adopted.

Criswell of Boone moved the adoption of the substitute amendment, as amended.

On the question "Shall the substitute amendment, as amended, be adopted?" a roll call was demanded.

The ayes were:

Anderson	Donhowe	Gilmore	Letts
of Webster	Dooley	Graham	Lichty
Blake	Doolittle	Harrison	Lieberknecht
Blume	Dotts	Hauge	Long
Bradley	Edge	Healy	Lovrien
Brittain	Edson	Held	McClune
Buffington	Fackler	Hempel	Mathews
Carter	Gallagher	Henderson	Matthiesen
Clark	Garber of Adair	Hollis	Moen
Colbert	Garber of Floyd	Huff	Napier
Cole	Gesman	Johnson	Natvig
Criswell	Gibson	King	O'Donnell
Dewar	Gilbert	Knutson	Ontjes
Diltz	Gilbertson	Leonard	Parsons

Peterson	Sampson	Smith of	Wamstad
Powers	Saunders	Chickasaw	Weber.
Quirk	Schirmer	Stock	Williams
Ramsey	Schulte	Stookesberry	Wilson
Rankin	Scott	Storey	Wolfe
Rassler	of Appanoose	Strippel	Mr. Speaker—86
Rewoldt	Scott of Fremont	Ulstad	
Robson	Slemmons	Venard	
Rumley	Smith of Lucas	Vincent	

The nays were:

Berry	Hansen	Miller	Rhinehart—6
Forsling	Lake		

Absent or not voting:

Aiken	Frahm	Noble	Patterson
Brady	Grimwood	Oliver	Potts
Children	Hattendorf	Olson	Rust
Elliott	Himebauch	Orr	Yenter—16

The substitute amendment, as amended, was adopted.

McClune of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson	Gesman	Long	Sampson
of Webster	Gibson	Lovrien	Saunders
Blake	Gilbert	McClune	Schirmer
Blume	Gilbertson	Mathews	Schulte
Bradley	Gilmore	Matthiesen	Scott
Brittain	Graham	Moen	of Appanoose
Buffington	Grimwood	Napier	Scott of Fremont
Carter	Hansen	Natvig	Slemmons
Children	Harrison	O'Donnell	Smith
Clark	Hauge	Ontjes	of Chickasaw
Coibert	Healy	Parsons	Smith of Lucas
Cole	Held	Peterson	Stock
Criswell	Hempel	Potts	Stookesberry
Dewar	Henderson	Powers	Storey
Donhowe	Hollis	Quirk	Strippel
Dooley	Huff	Ramsey	Ulstad
Doolittle	Johnson	Rankin	Venard
Dotts	King	Rassler	Vincent
Edge	Knuteon	Rewoldt	Wamstad
Edson	Lake	Rhinehart	Weber
Fackler	Leonard	Robson	Williams
Gallagher	Letts	Rumley	Wilson
Garber of Adair	Lichty	Rust	Mr. Speaker—91
Garber of Floyd	Lieberknecht		

The nays were:

Forsling—1

## Absent or not voting:

Alken	Elliott	Miller	Orr
Berry	Frahm	Noble	Patterson
Brady	Hattendorf	Oliver	Wolfe
Diltz	Himebauch	Olson	Yenter—16

So the bill having received a constitutional majority was declared to have passed the House.

McClune of Mahaska offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 305 by substituting for the present title the following:

"A bill for an act to amend sections thirty hundred eighty-one-a one (3081-a1), thirty hundred eighty-one-a seven (3081-a7) and thirty hundred eighty-one-a twelve (3081-a12) of the supplement to the compiled code of Iowa, relating to the rules and regulations of motor carriers and providing penalty for the violation of the statutes, rules and regulations promulgated thereunder."

Amendment adopted and the title, as amended, was agreed to.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files Nos. 126, 297, 300, and 301.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Slemmons of Buchanan, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File No. 306.

GEO. F. SLEMMONS, *Acting Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following

**bills:** House Files Nos. 126, 297, 300 and 301, Senate File No. 806.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills submitted the following report:

**MR. SPEAKER:** Your committee on enrolled bills respectfully reports that it has, on this twenty-eighth day of March, 1924, sent to the Governor for his approval: House Files Nos. 126, 297, 300 and 301.

C. F. LETTS, *Chairman.*

Report adopted.

#### CONSIDERATION OF BILLS

Senate File No. 169, a bill for an act to amend, revise, and codify sections three thousand eight hundred thirty-five (3835), three thousand eight hundred forty-four (3844), three thousand eight hundred fifty (3850) to three thousand eight hundred sixty (3860), inclusive, three thousand eight hundred seventy-three (3873) to three thousand eight hundred seventy-seven (3877), inclusive, three thousand eight hundred seventy-nine (3879) to three thousand eight hundred eighty-eight (3888), inclusive, three thousand eight hundred ninety (3890) to three thousand eight hundred ninety-six (3896), inclusive, three thousand eight hundred ninety-eight (3898) to three thousand nine hundred two (3902), inclusive, three thousand nine hundred four (3904), three thousand nine hundred six (3906), three thousand nine hundred seven (3907), three thousand nine hundred ten (3910), three thousand nine hundred eleven (3911), three thousand nine hundred sixteen (3916), three thousand nine hundred twenty (3920) to three thousand nine hundred twenty-five (3925), inclusive, three thousand nine hundred twenty-seven (3927), and three thousand nine hundred twenty-eight (3928) of the compiled code of Iowa, and sections three thousand eight hundred forty-nine (3849), three thousand eight hundred seventy-eight (3878), three thousand eight hundred eighty-seven-a one (3887-a1), three thousand eight hundred eighty-nine (3889), three thousand nine hundred three (3903), three thousand nine hundred twelve (3912) to three thousand nine hundred fifteen (3915), inclusive, three thousand nine hundred seventeen (3917) to three thousand nine hundred nineteen (3919), inclusive, three thousand nine hundred twenty-two-a one (3922-a1) to three thousand nine hundred twen-

ty-two-a five (3922-a5), inclusive, and three thousand nine hundred twenty-six (3926) of the supplement to said code, relating to municipal corporations, was taken up for further consideration.

Children of Pottawattamie moved that the House reconsider the vote by which the amendment offered by Diltz of Polk to section 41 of Senate File No. 169 was adopted.

Motion prevailed.

The following amendment filed by Edson of Buena Vista as a substitute for the amendment by Diltz of Polk to section 41 and all pending amendments thereto was taken up and considered:

Amend Senate File No. 169 by striking all of section 41 and inserting in lieu thereof the following:

Unless the owner of any lot or railway or street railway, the assessment against which is embraced in any bond or certificates provided for by law, shall, within thirty days from the date of such assessment, file written objection to the legality or regularity of the assessment or levy of such tax upon and against his property, such owner shall be deemed to have waived objection on these grounds and shall have the right to pay said assessment, with interest thereon not exceeding six per cent per annum, in ten equal annual installments. In no case shall the owner be liable for more than the value of the property included in such assessment. The cost of oiling the streets may not be paid in installments.

Hauge of Polk moved that action on Senate File No. 169 be deferred.

Motion to defer action lost.

On motion of Edson of Buena Vista the amendment offered by him was substituted for the amendment offered by Diltz of Polk.

On motion of Mr. Edson the substitute amendment was adopted.

The following amendment filed by Diltz of Polk was taken up and considered:

Amend Senate File No. 169, section 42, lines 6 to 10, by striking all of said lines following the word "taxes" in line 6 and preceding the word "all" in line 10, and inserting in lieu thereof the following: "provided that any or all installments not yet paid together with accrued interest thereon may be paid on the due date of any installment".

On motion of Mr. Diltz the amendment was adopted.

The following amendment filed by Gilbertson of Winnebiek was taken up and considered:

Amend Senate File No. 169 by adding the following section:

Sec. 70. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Sioux City Tribune, a newspaper published in the city of Sioux City, Iowa, and the Plain Talk, a newspaper published in the city of Des Moines, Iowa.

On motion of Mr. Gilbertson the amendment was adopted.

Garber of Adair in the chair.

The following amendment filed by Forsling of Woodbury was taken up and considered:

Amend Senate File No. 169, section 69, by striking from line five (5) thereof the words "if a waiver had" and inserting in lieu thereof the words "had not objections".

On motion of Mr. Forsling the amendment was adopted.

Forsling of Woodbury moved that further action on Senate File No. 169 be deferred.

Motion prevailed.

Senate File No. 45, a bill for an act to amend, revise, and codify chapter twelve (12) of title five (5) of the compiled code of Iowa, and section ten hundred sixty-four (1064) of the supplement to said code, relating to fire escapes and means of escape from fire, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Blake of Fayette the amendment proposed by the committee, found in the Journal of March 27th, was adopted.

Mr. Blake moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson	Cole	Garber of Floyd	Hempel
of Webster	Criswell	Gesman	Henderson
Blake	Dewar	Gibson	Hollis
Blume	Dooley	Gilbert	Huff
Bradley	Doolittle	Gilbertson	Johnson
Brady	Dotts	Gilmore	King
Brittain	Edge	Grimwood	Knutson
Buffington	Edson	Hansen	Letts
Carter	Forsling	Hauge	Lichty
Children	Gallagher	Healy	Lovrien
Colbert	Garber of Adair	Held	Mathews

Matthiesen	Powers	Sampson	Stock
Miller	Quirk	Schirmer	Stokesberry
Moen	Rainsey	Schulte	Storey
Napier	Rankin	Scott	Strippel
Natvig	Rassler	of Appanoose	Wamstad
O'Donnell	Rewoldt	Scott of Fremont	Weber
Olson	Rhinehart	Stenmons	Williams
Parsons	Robson	Smith	Wilson
Peterson	Rumley	of Chickasaw	Wolfe—80
Potts	Rust	Smith of Lucas	

The nays were, none.

Absent or not voting:

Aiken	Fackler	Leonard	Orr
Anderson of Winnebago	Frahm	Lieberknecht	Patterson
Berry	Graham	Loug	Saunders
Clark	Harrison	McClune	Ulstad
Diltz	Hattendorf	Noble	Venard
Donhowe	Himebauch	Oliver	Vincent
Elliott	Lake	Ontjes	Yenter—28

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to:

House File No. 309, a bill for an act to amend, revise, and codify section forty-two hundred seventy (4270) of the compiled code of Iowa, relating to cities operating under the commission plan, was taken up for consideration.

Forsling of Woodbury moved that the bill be read a third time now and placed upon its passage.

Anderson of Webster moved that action on House File No. 309 be deferred and that the bill be made a special order for Tuesday, April 1st, at 10:00 a. m.

Motion prevailed.

Speaker Anderson in the chair.

House File No. 310, a bill for an act to amend, revise, and codify section forty-two hundred ninety-two (4292) of the compiled code relating to the government of cities and towns, was taken up for consideration.

O'Donnell of Dubuque moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Anderson	Edson	Letts	Robson
of Webster	Fackler	Lichty	Rumley
Blake	Forsling	Long	Rust
Blume	Gallagher	Lovrien	Sampson
Bradley	Garber of Adair	McClune	Schirmer
Brady	Gesman	Mathews	Schulte
Brittain	Gibson	Matthiesen	Scott of Fremont
Buffington	Gilbert	Miller	Slemmons
Carter	Gilbertson	Moen	Smith
Children	Gilmore	Napier	of Chickasaw
Colbert	Grimwood	Natvig	Smith of Lucas
Cole	Hansen	O'Donnell	Stock
Criswell	Hauge	Olson	Stookesberry
Dewar	Healy	Parsons	Strippel
Diltz	Henderson	Peterson	Ulstad
Donhowe	Hollis	Potts	Wamstad
Dooley	Huff	Powers	Weber
Doolittle	Johnson	Quirk	Wilson
Dotts	King	Ramsey	Wolfe
Edge	Knutson	Rewoldt	Mr. Speaker—78

The nays were, none.

## Absent or not voting:

Aiken	Hattendorf	Oliver	Scott
Berry	Held	Ontjes	of Apanoose
Clark	Hempel	Orr	Storey
Elliott	Himebauch	Patterson	Venard
Frahm	Lake	Rankin	Vincent
Garber of Floyd	Leonard	Rassler	Williams
Graham	Lieberknecht	Rhinehart	Yenter—30
Harrison	Noble	Saunders	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## INTRODUCTION OF BILL

House File No. 311, by Vincent of Guthrie, a bill for an act to legalize the acts and proceedings of the board of supervisors of Winnebago county, Iowa, in relation to the transfer of certain funds.

Read first and second times and referred to committee on judiciary.

## PROOF OF PUBLICATION OF HOUSE FILE NO. 311

The official proof of publication of House File No. 311, proposed bill for the legalization of the proceedings of the board of supervisors, Winnebago county, Iowa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## AMENDMENT FILED

Diltz of Polk filed the following amendment to Senate File No. 169:

Amend Senate File No. 169 by substituting in lieu of all pending amendments to section 69 the following:

"Sec. 69. Right to pay in installment after appeal or objection.

When any special assessment has been reduced on appeal, the property owner may, within twenty (20) days after final determination of the appeal, pay an amount equal to the installments which would have matured under the revised assessment, had objections not been filed, together with interest on the entire revised assessment from the date of the original levy and shall be entitled to pay the remaining installments as provided in section forty-one (41) of this chapter.

In case objections are filed but no appeal is taken, if such objection be withdrawn within thirty (30) days from the date of the assessment or if said objection be overruled by the council at a hearing as in this chapter provided for, the property owner may pay the special assessment in the same manner as in this section provided in case of successful appeal."

On motion of Leonard of Taylor the House adjourned until 10:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 29, 1924.

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

Prayer was offered by Dr. Herbert Martin of Drake University, Des Moines.

Journal of March 28th corrected and approved.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills: March 27, 1924, House Files Nos. 299, 288, 87 and 192; March 28, 1924, House Files Nos. 126, 301, 297 and 300.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Edson of Buena Vista and Carter of Hardin for the day, on request of Dotts of Wayne; Held of Plymouth for the day, on request of Moen of Lyon; Ontjes of Grundy for the day, on request of Schulte of Worth; Colbert of Union for the day, on request of Dewar of Cherokee; Garber of Adair and Ramsey of Butler for the day, on request of Vincent of Guthrie; Lieberknecht of Louisa for the day, on request of Wilson of Tama; Hollis of Black Hawk and Lichty of Black Hawk for the day, on request of Sampson of Audubon; Robson of Greene for the day, on request of Children of Pottawattamie; Miller of Shelby for the day, on request of Criswell of Boone; Orr of Keokuk for the day, on request of Smith of Lucas; Harrison of Pottawattamie for the day, on request of Children of Pottawattamie; Saunders of Palo Alto for the day, on request of Clark of Linn; King of Clay and Quirk of Sac until Tuesday, on request of Johnson of Dickinson; McClune of Mahaska for the day, on request of Johnson of Dickinson.

## INTRODUCTION OF BILLS

Unanimous consent having been obtained to suspend the rule prohibiting the introduction of bills at this time, the following bills were introduced:

House File No. 312, by Clark of Linn, a bill for an act to authorize the issuance of a patent to certain lands in Winnebago county, Iowa, to William E. Cox.

Read first and second times and referred to committee on judiciary.

House File No. 313, by committee on banks and banking, a bill for an act to punish derogatory statements affecting banks or trust companies.

Read first and second times and passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 91, 179, 203, 205, 299, 301, 303, 304 and 305.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### CONCURRENT RESOLUTION CONSIDERED

Senate Concurrent Resolution No. 15, relative to the passage of a national pure seed law, found in the House Journal of March 27th, was taken up and considered.

On motion of Brady of O'Brien the House concurred in the Senate concurrent resolution.

#### 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. 177, a bill for an act relating to municipal corporations.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Substitute for Senate File No. 186, a bill for an act relating to mill dams, races and water power improvements.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 296, a bill for an act relating to municipal corporations.

Also, that the Senate has adopted the conference committee report, and concurred in the amendments proposed therein on Senate File No. 93, a bill for an act relating to the Iowa state college of agriculture and mechanic arts.

Also, that the Senate insists on its amendments to House File No. 236, a bill for an act relating to estates of decedents, and requests a conference committee. The President has appointed as members of such committee on the part of the Senate, Senators Dutcher, Mantz, Brookhart, and Campbell.

Also, 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 to legalize the transfer of money from the general fund to the school house fund of the consolidated independent school district of Laurens, Pocahontas county, Iowa.

Also, that the Senate requests the return of House File No. 254, a bill for an act relating to bonds for the performance of contracts for public improvements, and to the rights of persons who furnish labor or materials on such improvements.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 260, a bill for an act relating to the public health.

LEON W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 260

(1) Amend by striking out the words "practitioner", "practitioners", and the words "or practitioners" wherever the same appear in House File No. 260.

(2) Amend by striking out subsections 5 and 5-a1 of section 1 and substituting in lieu thereof the following:

"5. 'Physician' shall mean a person licensed to practice medicine and surgery, osteopathy and surgery, osteopathy, or chiropractic, under the laws of this state."

(3) Amend line 3 of section 2 by striking out the word and figure "six (6)" and inserting in lieu thereof the word and figure "four (4)".

(4) Amend line 4 of section 2 by inserting after the word "senate" the words "in executive session".

(5) Amend section 2, line 5, by striking out the word "person" and inserting in lieu thereof the words "physician or practitioner".

(6) Amend line 1 of section 4 by striking the word and figure "six (6)" and inserting in lieu thereof the word and figure "four (4)".

(7) Amend subsection 5 of section 14 by striking out the period (.) after the word "state" and inserting in lieu thereof a comma (,) and adding the following: "and, upon request of the local health officer or upon a petition of five (5) or more citizens, residents in the community involved, shall make inspection of the sanitary, physical, and structural condition of any school or public building and grounds in the state, and

shall recommend to the local board of health the necessary measures for the maintenance of such buildings in a sanitary and safe condition."

(8) Amend subsection 6 of section 14 by inserting in line 18 after the word "state" the following: ", of the public water supplies, sewer systems, sewage treatment plants, and garbage and refuse disposal plants,".

(9) Amend section 14 by striking all of lines 21, 22, 23, and 24.

(10) Amend section 14-a1 by striking the word "shall" as it occurs in line 2, and inserting in lieu thereof the word "may".

(11) Amend section 14-a1 by striking the word and figure "six (6)" as they occur in line 7 of said section and insert in lieu thereof the word and figure "four (4)".

(12) Strike out the last two sentences of section 14-a1 and insert in lieu thereof the following: "Such committee shall consist of the engineer who is head of the division of sanitary engineering, the commissioner of health, the housing commissioner, one master plumber and one journeyman plumber. The engineer member shall be chairman of the committee."

(13) Insert after the word "treasurer" as it occurs in line 5 of section 14-a4 the words "of the state".

(14) Amend section 14-a4 by changing the period (.) after the word "plumbing" in the last line and inserting a comma (,) and adding the following words: "plumbers' license and application blanks."

(15) Amend section 27 by striking lines 4 to 17 inclusive and substituting therefor as subsection 3 the following: "Five health officers to be appointed by the governor."

(16) Insert immediately after section 27 the following:

"Sec. 27-a1. Appointment of members of board of health.

The governor shall appoint, prior to the second Tuesday in January in nineteen hundred twenty-five (1925), and every two (2) years thereafter, the five (5) health officers provided for in the preceding section, who shall serve for a period of two (2) years or until their successors are appointed and qualify, and not more than one member shall be appointed from any one congressional district."

(17) Amend section 30 by striking the word and figure "Nine (9)" in line 6 and inserting in lieu thereof the following: "A majority of the".

(18) Amend section 35 by striking all after the word "from" in line 2 and inserting in lieu thereof the following: "funds not otherwise appropriated in the general fund of the state."

(19) Amend section 242-a2 by adding thereto the following:

"The engineer so appointed shall receive thirty-six hundred dollars (\$3600.00) per year for his services, which shall be paid out of any funds in the state treasury not otherwise appropriated."

#### HOUSE FILE RETURNED TO SENATE

Clark of Linn moved that the request of the Senate for the return to the Senate of House File No. 254 be granted.

Motion prevailed.

## SENATE MESSAGES CONSIDERED

Substitute for Senate File No. 186, a bill for an act to amend, revise, and codify chapters three (3) and four (4) of title fifteen (15) of the compiled code of Iowa, relating to mill dams, races and water power improvements.

Read first and second times and passed on file.

Senate File No. 177, a bill for an act to amend, revise, and codify sections three thousand six hundred thirty (3630), three thousand six hundred thirty-one (3631), three thousand seven hundred twenty-six (3726), three thousand seven hundred thirty-three (3733), three thousand seven hundred thirty-seven (3737), three thousand seven hundred forty-one (3741), three thousand seven hundred fifty-nine (3759), three thousand eight hundred ninety-seven (3897), three thousand nine hundred five (3905), three thousand nine hundred nine (3909), three thousand nine hundred eighty-three (3983), four thousand nine (4009), four thousand thirty-one (4031) to four thousand thirty-four (4034), inclusive, four thousand thirty-seven (4037), four thousand thirty-nine (4039) to four thousand forty-one (4041), inclusive, four thousand fifty-two (4052), and four thousand fifty-three (4053) of the compiled code of Iowa, and sections three thousand four hundred eighty-five (3485), three thousand seven hundred fifty-eight (3758), four thousand thirty-eight (4038), and four thousand fifty-one (4051) of the supplement to said code, relating to municipal corporations.

Read first and second times and referred to committee on municipal corporations.

Senate File No. 307, a bill for an act to legalize the transfer of money from the general fund to the schoolhouse fund of the consolidated independent school district of Laurens, Pocahontas county, Iowa.

Read first and second times and referred to committee on judiciary.

## PROOF OF PUBLICATION OF SENATE FILE NO. 307

The official proof of publication of Senate File No. 307, proposed bill for the legalization of the proceedings of the board of directors of the consolidated independent school district of Laurens, Pocahontas county, Iowa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Diltz of Polk, House File No. 296, a bill for an act to amend, revise, and codify section one (1) of chapter 261, acts of the Fortieth General Assembly, relating to municipal corporations, with Senate amendments, was taken up and the amendments read and considered.

## SENATE AMENDMENT

Amend by adding to section 1 the following: "No levy or collection of taxes for either of said funds shall be made so as to create or maintain a balance therein in excess of ten thousand dollars (\$10,000.00) at the end of any fiscal year."

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

On the question "Shall the House concur?"

The ayes were:

Anderson of Webster	Gallagher	Matthlesen	Scott of Fremont
Blume	Gesman	Moen	Slemmons
Brady	Gibson	Napier	Smith of Chickasaw
Brittain	Gilbertson	Natvig	Smith of Lucas
Buffington	Grimwood	Noble	Stock
Children	Hauge	Parsons	Stookesberry
Clark	Healy	Peterson	Strippel
Cole	Hempel	Powers	Venard
Criswell	Henderson	Rankin	Vincent
Dewar	Huff	Rassler	Vincent
Diltz	Johnson	Rust	Weber
Dooley	Lake	Sampson	Williams
Doolittle	Letts	Schirmer	Wilson
Dotts	Long	Schulte	Yenter
Edge	Lovrien	Scott of Appanoose	Mr. Speaker—61
Fackler	Mathews		

The nays were, none.

Absent or not voting:

Aiken	Garber of Floyd	Leonard	Quirk
Berry	Gilbert	Lichty	Ramsey
Blake	Gilmore	Lieberknecht	Rewoldt
Bradley	Graham	McClune	Rhinehart
Carter	Hansen	Miller	Robson
Colbert	Harrison	O'Donnell	Rumley
Donhowe	Hattendorf	Oliver	Saunders
Edson	Held	Olson	Storey
Elliott	Himebauch	Ontjes	Ulstad
Forsling	Hollis	Orr	Wamstad
Frahm	King	Patterson	Wolfe—47
Garber of Adair	Knutson	Potts	

The House concurred in the Senate amendments to House File No. 296.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 93

MR. SPEAKER: We, your conference committee to whom was referred Senate File No. 93, beg leave to report we have had same under consideration and recommend that the Senate concur in the House amendment.

JNO. A. STOREY  
E. P. HARRISON  
C. F. CLARK  
W. C. EDSON  
M. L. BOWMAN  
J. A. MCINTOSH  
CHAS. S. BROWNE  
B. M. STODDARD

Clark of Linn moved the adoption of the conference committee report and the amendments proposed by said conference committee on Senate File No. 93.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of Webster	Fackler Gallagher	Matthiesen Moen	Scott of Appanoose
Berry	Gibson	Napier	Scott of Fremont
Blake	Gilbertson	Natvig	Slemmons
Blume	Grimwood	Noble	Smith of Chickasaw
Bradley	Hauge	O'Donnell	Smith of Lucas
Brady	Healy	Parsons	Stookesberry
Brittain	Hempel	Peterson	Strippel
Buffington	Henderson	Powers	Venard
Children	Huff	Rankin	Vincent
Clark	Johnson	Rassler	Wamstad
Cole	Lake	Rewoldt	Weber
Criswell	Leonard	Rust	Williams
Dewar	Letts	Sampson	Wilson
Dooley	Long	Schirmer	Yenter
Doolittle	Lovrien	Schulte	Mr. Speaker—64
Dotts	Mathews		

The nays were, none.

Absent or not voting:

Aiken	Edge	Garber of Adair	Graham
Carter	Edson	Garber of Floyd	Hansen
Colbert	Elliott	Gesman	Harrison
Diltz	Forsling	Gilbert	Hattendorf
Donhowe	Frahm	Gilmore	Held

Himebauch	McClune	Patterson	Rumley
Hollis	Miller	Potts	Saunders
King	Oliver	Quirk	Stock
Knutson	Olson	Ramsey	Storey
Lichty	Ontjes	Rhinehart	Ulstad
Lieberknecht	Orr	Robson	Wolfe—44

The report of the conference committee on Senate File No. 93 and the amendments proposed by said conference committee were adopted.

#### SPECIAL ORDER MADE

On request of Lake of Woodbury, unanimous consent having been obtained, House File No. 84 was made a special order for Tuesday, April 1st, at 10:30 a. m.

#### APPOINTMENT OF CONFERENCE COMMITTEES

As a second conference committee on Senate File No. 75, the Speaker appointed the following members on the part of the House: Vincent of Guthrie, Saunders of Palo Alto, Garber of Adair and Bradley of Poweshiek.

As a conference committee on House File No. 236, the Speaker appointed the following members on the part of the House: Doolittle of Delaware, Clark of Linn, Vincent of Guthrie and Lovrien of Humboldt.

#### FIX TIME TO WHICH TO ADJOURN

Hauge of Polk moved that when the House adjourn it be to reconvene on Wednesday, April 2d, at 10:00 a. m.

Berry of Monroe moved to amend the motion by changing the date from Wednesday, April 2d, to Monday, March 31st.

On the question "Shall the amendment by Berry of Monroe be adopted?" a roll call was demanded.

The ayes were:

Anderson of	Children	Fackler	Hansen
Webster	Cole	Gallagher	Healy
Berry	Criswell	Garber of Floyd	Hempel
Blake	Dewar	Gesman	Henderson
Blume	Diltz	Gibson	Huff
Bradley	Donhowe	Gilbert	Johnson
Brady	Dooley	Gilbertson	Leonard
Brittain	Doolittle	Gilmore	Letts
Buffington	Dotts	Grimwood	Long

Lovrien	Rassler	Scott of Fremont	Ulstad
Mathews	Rewoldt	Slemmons	Venard
Matthiesen	Rust	Smith of Chickasaw	Vincent
Napier	Sampson	Smith of Lucas	Weber
Natvig	Schirmer	Stock	Williams
Noble	Schulte	Stookesberry	Wilson
Parsons	Scott of Appanoose	Strippel	Mr. Speaker—65
Peterson			
Powers			

The nays were:

Clark	Lake	O'Donnell	Wamstad—7
Hauge	Moen	Rankin	

Absent or not voting:

Aiken	Graham	Lieberknecht	Quirk
Carter	Harrison	McClune	Ramsey
Colbert	Hattendorf	Miller	Rhinehart
Edge	Held	Oliver	Robson
Edson	Himebauch	Olson	Rumley
Elliott	Hollis	Ontjes	Saunders
Forsling	King	Orr	Storey
Frahm	Knutson	Patterson	Wolfe
Garber of Adair	Lichty	Potts	Yenter—36

The amendment by Berry of Monroe was adopted.

The motion by Hauge of Polk, as amended, prevailed.

#### CONSIDERATION OF BILLS

Senate File No. 169, a bill for an act to amend, revise, and codify sections three thousand eight hundred thirty-five (3835), three thousand eight hundred forty-four (3844), three thousand eight hundred fifty (3850) to three thousand eight hundred sixty (3860), inclusive, three thousand eight hundred seventy-three (3873) to three thousand eight hundred seventy-seven (3877), inclusive, three thousand eight hundred seventy-nine (3879) to three thousand eight hundred eighty-eight (3888), inclusive, three thousand eight hundred ninety (3890) to three thousand eight hundred ninety-six (3896), inclusive, three thousand eight hundred ninety-eight (3898) to three thousand nine hundred two (3902), inclusive, three thousand nine hundred four (3904), three thousand nine hundred six (3906), three thousand nine hundred seven (3907), three thousand nine hundred ten (3910), three thousand nine hundred eleven (3911), three thousand nine hundred sixteen (3916), three thousand nine hundred twenty (3920) to three thousand nine hundred twenty-five (3925), inclusive, three thousand nine hundred twenty-seven (3927), and three thousand nine hundred twenty-eight (3928) of the compiled

code of Iowa, and sections three thousand eight hundred forty-nine (3849), three thousand eight hundred seventy-eight (3878), three thousand eight hundred eighty-seven-a one (3887-a1), three thousand eight hundred eighty-nine (3889), three thousand nine hundred three (3903), three thousand nine hundred twelve (3912) to three thousand nine hundred fifteen (3915), inclusive, three thousand nine hundred seventeen (3917) to three thousand nine hundred nineteen (3919), inclusive, three thousand nine hundred twenty-two-a one (3922-a1) to three thousand nine hundred twenty-two-a five (3922-a5), inclusive, and three thousand nine hundred twenty-six (3926) of the supplement to said code, relating to municipal corporations, was taken up for further consideration.

The following amendment filed by Diltz of Polk was taken up and considered:

Amend Senate File No. 169 by substituting in lieu of all pending amendments to section 69 the following:

"Sec. 69. Right to pay in installment after appeal or objection.

When any special assessment has been reduced on appeal, the property owner may, within twenty (20) days after final determination of the appeal, pay an amount equal to the installments which would have matured under the revised assessment, had objections not been filed, together with interest on the entire revised assessment from the date of the original levy and shall be entitled to pay the remaining installments as provided in section forty-one (41) of this chapter.

In case objections are filed but no appeal is taken, if such objection be withdrawn within thirty (30) days from the date of the assessment or if said objection be overruled by the council at a hearing as in this chapter provided for, the property owner may pay the special assessment in the same manner as in this section provided in case of successful appeal."

On motion of Mr. Diltz the amendment was adopted.

Blake of Fayette moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Brady	Diltz	Garber of Floyd
Webster	Brittain	Dooley	Gesman
Berry	Buffington	Dotts	Gibson
Blake	Children	Fackler	Gilbertson
Blume	Cole	Forsling	Gilmore
Bradley	Dewar	Gallagher	Grimwood

Hansen	Mathews	Sampson	Stock
Healy	Matthiesen	Schirmer	Stookesberry
Hempel	Moen	Schulte	Strippel
Henderson	Napier		Vincent
Huff	Natvig	Scott of	Wamstad
Johnson	O'Donnell	Appanoose	Weber
Lake	Parsons	Scott of Fremont	Williams
Leonard	Powers	Slemmons	Wilson
Letts	Rassler	Smith of	Mr. Speaker—62
Long	Rewoldt	Chickasaw	
Lovrien	Rumley	Smith of Lucas	

The nays were, none.

Absent or not voting:

Aiken	Gilbert	McClune	Ramsey
Carter	Graham	Miller	Rankin
Clark	Harrison	Noble	Rhinehart
Colbert	Hattendorf	Oliver	Robson
Criswell	Hauge	Olson	Rust
Donhowe	Held	Ontjes	Saunders
Doolittle	Himebauch	Orr	Storey
Edge	Hollis	Patterson	Ulstad
Edson	King	Peterson	Venard
Elliott	Knutson	Potts	Wolfe
Frahm	Lichty	Quirk	Yenter—46
Garber of Adair	Lieberknecht		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### AMENDMENTS FILED

Diltz of Polk filed the following amendment to House File No. 84:

Amend House File No. 84 by striking all of section 341 and inserting in lieu thereof the following:

"Sec. 341. Designation of judge—effect.

The designation of any judge to hold the juvenile court shall not deprive him of other judicial functions, or the other judges of the power to act as judges of the juvenile court during the absence, inability to act or upon request of the regularly designated juvenile judge."

Grimwood of Jones filed the following amendment to House File No. 84:

Amend House File No. 84 by inserting immediately after section 411 the following:

"Sec. 411-a1. Unincorporated institutions.

All private unincorporated institutions devoted to the reception and care of neglected, dependent and delinquent children shall be subject to the supervision and inspection of the board of control which may at any time require such information of such institutions as it may deem necessary in order to render its supervision and inspection effective."

Doolittle of Delaware filed the following substitute amendment to House File No. 289:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"That chapters five (5) and six (6) of title one (1) and section fifty-eight (58) of the compiled code of Iowa and sections fifty-seven-a one (57-a1) to fifty-seven-a three (57-a3), inclusive, fifty-nine (59), and sixty (60) of the supplement to said code are amended, revised, and codified to read as follows:

#### THE CODE

##### Section 1. Style of code.

The code shall be prepared and published substantially in the following form and style:

1. The printing of the text shall be in double columns from type forms thirty-seven (37) picas wide by fifty-four (54) picas high and in nine (9) point type solid and with spacing of approximately six (6) points between each section.
2. The chapters shall be numbered consecutively (commencing with number one (1)) and without regard to titles.
3. Each section shall be indicated by a number printed in bold face type.
4. Each section shall have appropriate catchwords printed in bold face type contrasting with the text and followed immediately by the first word of the section.
5. Proper historical references shall immediately follow the last word of each section.
6. The code provided for herein shall include:
  - a. An analysis of the code by titles and chapters.
  - b. The Declaration of Independence.
  - c. Articles of Confederation.
  - d. The Constitution of the United States.
  - e. Laws of the United States relating to citizenship, naturalization and the authentication of records.
  - f. The Constitution of Iowa.
  - g. The act admitting Iowa into the Union as a State.
  - h. Chapter analysis at the head of each chapter.
  - i. All of the statutes of Iowa of a general and permanent nature.
  - j. The rules of the supreme court.
  - k. An index covering the constitution and statutes of the state of Iowa and the rules of the supreme court.
7. The code editor shall prepare and there shall be published such tables of corresponding sections of prior codes, supplements thereto and session laws as may be determined by the code supervising committee. The committee shall publish the same in a separate volume, free distribution and sale of which shall be made the same as copies of the

code. The committee may cause the publication of such parts of such tables, if any, with the code of 1924 as it may determine.

8. The code shall be printed upon a good quality of paper and bound in a good grade of buckram to specifications prepared by the state printing board and approved by the code supervising committee.

#### Sec. 2. Editorial work.

The code editor in preparing the copy for an edition of the code shall have power:

1. To correct therein all misspelled words in the original enrollments.
2. To correct all manifest grammatical and clerical errors including punctuation but without changing the meaning.
3. To transpose sections or to divide sections so as to give to distinct subject matters a section number but without changing the meaning.

#### Sec. 3. Present code.

The editor of the code shall, with all due diligence, proceed with the preparation of the code and the printing board shall proceed with like diligence and cause said code to be issued at the earliest possible time.

#### Sec. 4. Code supervising committee.

Before the adjournment of the extra session of the fortieth general assembly, the president of the Senate shall appoint two members of the senate and the speaker of the House shall appoint three members of the House, who shall constitute a code supervising committee which shall have general supervision and oversight of the work of editing the code and the work of the code editor in preparing the code for publication and of the printing and binding thereof. The code supervising committee shall meet with the code editor at his office in the state house at such times as, in their judgment, may be necessary to properly supervise the work of the code editor, and to aid the code editor in the proper and expeditious work of preparing and publishing the code in compliance with the provisions of this act. The members of the code supervising committee shall be paid their actual and necessary expenses incurred in the performance of their duties as provided for herein.

#### Sec. 5. Future codes.

The editor of the code shall, immediately following the final adjournment of the regular session of the forty-second general assembly and immediately following the final adjournment of each even-numbered regular session thereafter, prepare a new edition of the code, and the printing board shall forthwith cause the same to be printed.

#### Sec. 6. Preparation.

All new editions of the code shall be so prepared and printed that each section of the general statute law shall appear in said new edition in its new or finally revised and amended form. All sections of law of a general nature enacted after the last preceding code, shall be inserted in each new edition in such logical order as the editor of the code may determine.

## SESSION LAWS

## Sec. 7. Standard.

The size, style, type, and binding of the published acts of the fortieth general assembly shall be substantially followed in the future publication of the session laws.

## Sec. 8. Duty of secretary of state.

The secretary of state shall prepare and deliver to the editor of the code for insertion in each published volume of session laws, a correct list of state officers, judges of the supreme, district, superior, and municipal courts, members of the general assembly, and commissioners for this state in other states.

## Sec. 9. Duty of auditor of state.

There shall also be inserted in each volume of the session laws, the statement of the condition of the state treasury as provided by the constitution. Said statement shall be furnished by the auditor of state.

## DISTRIBUTION AND ACCOUNTING

## Sec. 10. Distribution of laws.

The superintendent of printing shall make free distribution of the code, and of the acts of each general assembly, as follows:

1. To state law library for exchange purposes.....125 copies
2. To law library of state university for exchange purposes.... 50 copies
3. To state historical department..... 5 copies
4. To state historical society..... 5 copies
5. To each judge of the supreme, district, superior and municipal courts of Iowa..... 1 copy
6. To each judge of the federal courts in Iowa..... 1 copy
7. To the clerk of the supreme court of Iowa..... 1 copy
8. To the clerk of each federal court in Iowa..... 1 copy
9. To each state institution under the control of either the state board of education or the state board of control..... 1 copy
10. To each state officer..... 2 copies
11. To the separate departments of principal state offices..... 1 copy
12. To each member of the present and subsequent general assemblies ..... 1 copy
13. To chief clerk of the house..... 1 copy
14. To secretary of the senate..... 1 copy
15. To the reporter of the supreme court and code editor such number of copies as will enable him to perform the duties of his office.
16. To the clerk of the district court, the county attorney, the county auditor, the county recorder, the county treasurer, the sheriff and the county superintendent of each county in the state, to the clerk of each superior or municipal

- court in the state, and also for use in each court room of the district, superior or municipal court..... 1 volume
17. To the mayor of each city or town in the state on written request, one volume each, and to each justice of the peace, who has qualified as such, one volume on written request.
18. To all public libraries and accredited colleges of the state, one volume each.

**Sec. 11. Purchase by municipalities.**

The board of supervisors may purchase and pay for out of the general fund such additional number of copies of the code and session laws as may be deemed necessary for the use of county and township officers. The council or commission of each city or town including cities acting under special charter shall have like power in order to supply the public offices of the city or town.

**Sec. 12. Distribution of early session laws.**

The superintendent of printing may distribute gratuitously to interested persons or associations the session laws of the thirty-sixth and previous general assemblies; provided that he shall maintain in reserve such number of copies of the acts of each of said general assemblies as may be fixed by the executive council. Such reserve when fixed shall not be distributed except on the order of the executive council.

**Sec. 13. Former statutes to colleges.**

Upon application, in writing, from the librarian or chief executive officer of any incorporated college in this state, the superintendent of printing shall, upon the approval of the executive council, forward to said applicant, without charge, bound volumes of the laws heretofore enacted.

## GENERAL PROVISIONS

**Sec. 14. Original enrolled bills.**

In the preparation of the code and session laws the editor of the code shall have the right to the possession of the enrolled bills.

**Sec. 15. Number printed.**

The number of each edition of the code, session laws, annotations and reports of supreme court shall be determined by the printing board.

**Sec. 16. New edition.**

New editions of the code, annotations and reports of the supreme court may be published by the printing board when the supply on hand of the last edition becomes exhausted and when a new edition is necessary in order to meet the demand.

**Sec. 17. Annotations and digests.**

Books of annotations shall, so far as practicable, be printed and bound in the same manner, form, and style as the code.

**Sec. 18. Official statutes.**

The code and session laws published under authority of the state shall constitute the only authoritative publications of the statutes of this state. No other publications of the statutes of the state shall be cited in the courts or in the reports or rules thereof.

**Sec. 19. Publication of parts of code.**

The printing board may cause to be printed from time to time, in the form of leaflets, folders, or pamphlets and in such numbers as the board deems reasonable, parts of the code for the use of public officers. Such orders shall be limited to actual needs as shown by experience or other competent proof, and the printing shall, as far as practicable, be done from the plates or slugs from which the code has been printed.

That section one hundred seventy-five-a thirteen (175-a13) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

**Sec. 20. Publication, sale and distribution.**

The code, session laws, annotations, tables of corresponding sections and reports of the supreme court shall be printed, and paid for in the same manner as other public printing, and the printing board shall fix the prices thereof.

That sections one hundred seventy-five-a four (175-a4) to one hundred seventy-five-a eight (175-a8), inclusive, and one hundred seventy-five-a twelve (175-a12) of the supplement to the compiled code of Iowa are amended, revised, and codified to read as follows:

**Sec. 21. Editor of code—duties.**

The reporter of the supreme court shall be editor of the code and his duties shall be:

1. To submit such recommendations as he deems proper to each general assembly for the purpose of amending, revising, and codifying such portions of the law as may be conflicting, redundant or ambiguous and to lay said recommendations before the presiding officer of each house.
2. To prepare the manuscript copy of all laws, acts and joint resolutions passed at each session of the general assembly, and arrange the same in chapters with comprehensive index and in such manner that each chapter will show the number of the house or senate file.
3. To edit and compile the code after each even-numbered session of the general assembly so that the same may be printed as herein provided.
4. To edit and prepare for publication a series of annotations of the statutes of Iowa containing annotations of all such statutes as have been construed by the supreme court of this state or the federal courts, and cause the same to be printed in separate volumes arranged in the same manner as the titles, chapters, and sections of the code.
5. To re-edit and keep up to date the said annotations so that the same may be printed at any time ordered by the general assembly.
6. To promptly prepare syllabi for all opinions of the supreme court and an index and proper tables for each volume of the reports.

### Sec. 22. Printing and reference.

The recommendations of the editor of the code shall be printed in such numbers as the printing board deems necessary for public use, and when laid before the presiding officers of the respective houses shall be referred in each house to appropriate committees.

### Sec. 23. Standard for reports.

The size, style, type, binding, and appearance of volume one hundred ninety-five of the supreme court reports shall be substantially followed in the future publication of said reports. A majority of the judges of the supreme court may prescribe a different standard volume.

That section one hundred seventy-five-a nine (175-a9) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

### Sec. 24. Distribution of reports.

The superintendent of printing shall make free distribution of the reports of the supreme court as follows:

1. To library of congress.....	2 copies
2. To library supreme court United States.....	2 copies
3. To each supreme, district, superior, and municipal judge (not including police judges).....	1 copy
4. To each United States district judge whose district lies within this state.....	1 copy
5. To the clerk of the supreme court.....	1 copy
6. To the attorney general.....	1 copy
7. To the state law library.....	90 copies
8. To each county.....	1 copy
9. To each county where district court is held in more than one place .....	2 copies
10. To supreme court reporter.....	2 copies
11. To law library state university.....	50 copies
12. To library state historical society.....	5 copies
13. To the library Iowa state college of agriculture and me- chanic arts .....	2 copies

That section two hundred forty-one-a thirty-eight (241-a38) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

### Sec. 25. Duties.

The superintendent of printing shall:

1. Have an office at the seat of government and devote his entire time to the duties of his position.

2. Have charge of the office equipment and supplies of the printing board and of the stock, if any, required in connection with printing contracts.

3. Have general supervision, under the direction of said board, of all matters pertaining to the enforcement of the contracts of the printing board.

4. Keep a detailed record of all meetings and proceedings of the printing board and of the award of contracts by said board.

5. Prepare, under the direction of said board, the specifications and advertisements for printing.

6. Have control and direction of the document department.

7. Have legal custody of all codes, session laws, books of annotations, and reports of the supreme court and sell, account for, and distribute the same as provided by law.

8. Be responsible on his official bond for the public property coming into his possession.

9. Perform such other duties as are necessary, or incident to his position, or which may be ordered by the printing board, or required by law.

That sections forty-three-a one (43-a1), forty-three-a two (43-a2), forty-three-a five (43-a5), and forty-three-a six (43-a6) of the supplement to the compiled code of Iowa are amended, revised, and codified to read as follows:

Sec. 26. Citation of permanent code.

The permanent codes published subsequent to the adjournment of the extra session of the Fortieth General Assembly shall be known and cited as "The Code, . . . . .", giving year of edition of such code.

Sec. 27. Form of bills.

Bills designed to amend, revise, codify, or repeal a law:

1. Shall refer to the number of the section or sections of the code to be amended.

2. Shall refer to the number of the chapter or chapters of the code to be amended.

3. Shall refer to the number of the general assembly and to the section and chapter of the acts thereof to be amended in case the bill relates to a section or sections of an act not appearing in the code.

4. All references shall be expressed in words, followed by the numerals in parentheses (), and if omitted the reporter of the supreme court preparing acts for publication in the session laws shall supply the same.

Sec. 28. Accounting.

All public officers who have come into possession of codes, supplements to the code, and session laws, and who are under legal obligation to account therefor, shall make such accounting under the laws heretofore in force.

Sec. 29. Delivery of present laws.

Upon taking effect of this act, the secretary of state shall deliver to the superintendent of printing all codes, supplements, session laws and reports of the supreme court then in the possession of said secretary.

Sec. 30. Appropriation.

There is hereby appropriated out of any money in the treasury not otherwise appropriated an amount sufficient to defray all expenses incurred in the carrying out of the provisions of this act.

Sec. 31. Publication clause.

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

On motion of Hansen of Scott the House adjourned.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, MARCH 31, 1924.

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

Prayer was offered by the Rev. W. R. Oursler, pastor of the Evangelical church, Merrill, Iowa.

Journal of March 29th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Olson of Clinton until Wednesday, on request of Donhowe of Story; Matthiesen of Clinton indefinitely, on request of Stookesberry of Davis; Elliott of Scott for the day, on request of Saunders of Palo Alto; Carter of Hardin for the day, on request of Napier of Ringgold; Dotts of Wayne for the day, on request of Napier of Ringgold; Strippel of Benton for the day, on request of Stock of Allamakee; Ontjes of Grundy for the day, on request of Stock of Allamakee; Lieberknecht of Louisa for the day, on request of Wilson of Tama; Smith of Lucas for the day, on request of Ulstad of Wright; Held of Plymouth until Wednesday, on request of Moen of Lyon; Clark of Linn for the day, on request of Hauge of Polk; Lichty of Black Hawk for the day, on request of Hollis of Black Hawk; Robson of Greene for the day, on request of Children of Pottawattamie; Himebauch of Emmet for the day, on request of Saunders of Palo Alto; Ramsey of Butler for the day, on request of Vincent of Guthrie; Donhowe of Story for the day, on request of Bradley of Poweshiek.

## REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 123

Henderson of Hamilton, from the conference committee on Senate File No. 123, submitted the following report:

MR. SPEAKER: Your conference committee to whom was referred the disagreement between the Senate and the House on Senate File No. 123, a bill for an act to amend, revise, and codify chapter nine (9) of title eleven (11) and section twenty-nine hundred sixty-two (2962) of the compiled code of Iowa, relating to the township road system, beg leave to report that they have had the same under consideration and submit the following report:

Substitute the following for Senate amendment to House amendment to section 2:

Amend section two (2) of Senate File No. 123 by striking from line two (2) the word "faithfully" and insert in lieu thereof the words "equitably and judiciously".

M. L. HENDERSON.  
A. O. HAUGE,  
E. P. HEALY,  
J. A. KING,

*Conferees on part of House.*

J. K. HALE,  
J. M. SLOSSON,  
CHAS. S. BROWNE,  
I. N. SNOOK,

*Conferees on part of Senate.*

Mr. Henderson moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of Webster	Garber of Floyd	Long	Schulte
Berry	Gibson	Lovrien	Scott of
Blake	Gilbert	Mathews	Appanoose
Blume	Gilmore	Moen	Scott of Fremont
Bradley	Graham	Napier	Stemmons
Brady	Grimwood	Natvig	Smith of
Brittain	Harrison	Noble	Chickasaw
Buffington	Hauge	O'Donnell	Stock
Children	Healy	Orr	Stookesberry
Cole	Hempel	Parsons	Storey
Dewar	Henderson	Peterson	Ulstad
Dooley	Hollis	Rankin	Venard
Doolittle	Huff	Rassler	Wamstad
Fackler	Johnson	Rust	Weber
Forsling	Lake	Sampson	Wilson
Gallagher	Leonard	Saunders	Wolfe
Garber of Adair	Letts	Schirmer	Mr. Speaker—66

The nays were, none.

Absent or not voting:

Alken	Donhowe	Gesman	King
Carter	Dotts	Gilbertson	Knutson
Clark	Edge	Hansen	Lichty
Colbert	Edson	Hattendorf	Lieberknecht
Criswell	Elliot	Held	McClune
Diltz	Frahm	Himebauch	Matthiesen

Miller	Potts	Rhinehart	Vincent
Oliver	Powers	Robson	Williams
Olson	Quirk	Rumley	Yenter—42
Ontjes	Ramsey	Smith of Lucas	
Patterson	Rewoldt	Strippel	

The report of the conference committee on Senate File No. 123 and the amendments proposed by said conference committee were adopted.

#### CONSIDERATION OF BILLS

House File No. 289, a bill for an act to amend, revise, and codify chapters five (5) and six (6) of title one (1) and section fifty-eight (58) of the compiled code of Iowa and sections forty-three-a one (43-a1), forty-three-a two (43-a2), forty-three-a five (43-a5), forty-three-a six (43-a6), fifty-seven-a one (57-a1) to fifty-seven-a three (57-a3), inclusive, fifty-nine (59), sixty (60), one hundred seventy-five-a four (175-a4) to one hundred seventy-five-a nine (175-a9), inclusive, one hundred seventy-five-a twelve (175-a12), one hundred seventy-five-a thirteen (175-a13), and two hundred forty-one-a thirty-eight (241-a38) of the supplement to said code, relating to the preparation, publication, use, custody, sale, and distribution of the laws of the state and of other publications of a legal nature, and to the powers and duties of the reporter of the supreme court, state printing board, superintendent of printing, and other public officers, with reference to such laws and publications, with report of committee recommending amendment and passage, was taken up for consideration.

The following substitute amendment filed by Doolittle of Delaware was taken up and considered:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

“That chapters five (5) and six (6) of title one (1) and section fifty-eight (58) of the compiled code of Iowa and sections fifty-seven-a one (57-a1) to fifty-seven-a three (57-a3), inclusive, fifty-nine (59), and sixty (60) of the supplement to said code are amended, revised, and codified to read as follows:

#### THE CODE

##### Section 1. Style of code.

The code shall be prepared and published substantially in the following form and style:

1. The printing of the text shall be in double columns from type forms thirty-seven (37) picas wide by fifty-four (54) picas high and in nine (9) point type solid and with spacing of approximately six (6) points between each section.

2. The chapters shall be numbered consecutively (commencing with number one (1) ) and without regard to titles.

3. Each section shall be indicated by a number printed in bold face type.

4. Each section shall have appropriate catchwords printed in bold face type contrasting with the text and followed immediately by the first word of the section.

5. Proper historical references shall immediately follow the last word of each section.

6. The code provided for herein shall include:

- (a) An analysis of the code by titles and chapters.
- (b) The declaration of independence.
- (c) Articles of confederation.
- (d) The constitution of the United States.
- (e) Laws of the United States relating to citizenship, naturalization and the authentication of records.
- (f) The constitution of Iowa.
- (g) The act admitting Iowa into the union as a state.
- (h) Chapter analysis at the head of each chapter.
- (i) All of the statutes of Iowa of a general and permanent nature.
- (j) The rules of the supreme court.
- (k) An index covering the constitution and statutes of the state of Iowa and the rules of the supreme court.

7. The code editor shall prepare and there shall be published such tables of corresponding sections of prior codes, supplements thereto and session laws as may be determined by the code supervising committee. The committee shall publish the same in a separate volume, free distribution and sale of which shall be made the same as copies of the code. The committee may cause the publication of such parts of such tables, if any, with the code of 1924 as it may determine.

8. The code shall be printed upon a good quality of paper and bound in a good grade of buckram to specifications prepared by the state printing board and approved by the code supervising committee.

## Sec. 2. Editorial work.

The code editor in preparing the copy for an edition of the code shall have power:

- 1. To correct therein all misspelled words in the original enrollments.
- 2. To correct all manifest grammatical and clerical errors including punctuation but without changing the meaning.
- 3. To transpose sections or to divide sections so as to give to distinct subject matters a section number but without changing the meaning.

**Sec. 3. Present code.**

The editor of the code shall, with all due diligence, proceed with the preparation of the code and the printing board shall proceed with like diligence and cause said code to be issued at the earliest possible time.

**Sec. 4. Code supervising committee.**

Before the adjournment of the extra session of the fortieth general assembly, the president of the Senate shall appoint two members of the Senate and the speaker of the House shall appoint three members of the House, who shall constitute a code supervising committee which committee shall have general supervision and oversight of the work of editing the code and the work of the code editor in preparing the code for publication and of the printing and binding thereof. The code supervising committee shall meet with the code editor at his office in the state house at such times as, in their judgment, may be necessary to properly supervise the work of the code editor, and to aid the code editor in the proper and expeditious work of preparing and publishing the code in compliance with the provisions of this act. The members of the code supervising committee shall be paid their actual and necessary expenses incurred in the performance of their duties as provided for herein.

**Sec. 5. Future codes.**

The editor of the code shall, immediately following the final adjournment of the regular session of the forty-second general assembly and immediately following the final adjournment of each even-numbered regular session thereafter, prepare a new edition of the code, and the printing board shall forthwith cause the same to be printed.

**Sec. 6. Preparation.**

All new editions of the code shall be so prepared and printed that each section of the general statute law shall appear in said new edition in its new or finally revised and amended form. All sections of law of a general nature enacted after the last preceding code, shall be inserted in each new edition in such logical order as the editor of the code may determine.

**SESSION LAWS****Sec. 7. Standard.**

The size, style, type, and binding of the published acts of the fortieth general assembly shall be substantially followed in the future publication of the session laws.

**Sec. 8. Duty of secretary of state.**

The secretary of state shall prepare and deliver to the editor of the code for insertion in each published volume of session laws, a correct list of state officers, judges of the supreme, district, superior, and municipal courts, members of the general assembly, and commissioners for this state in other states.

**Sec. 9. Duty of auditor of state.**

There shall also be inserted in each volume of the session laws, the

statement of the condition of the state treasury as provided by the constitution. Said statement shall be furnished by the auditor of state.

#### DISTRIBUTING AND ACCOUNTING

##### Sec. 10. Distribution of laws.

The superintendent of printing shall make free distribution of the code, and of the acts of each general assembly, as follows:

1. To state law library for exchange purposes.....125 copies
2. To law library of state university for exchange purposes.... 50 copies
3. To state historical department..... 5 copies
4. To state historical society..... 5 copies
5. To each judge of the supreme, district, superior, and municipal courts of Iowa..... 1 copy
6. To each judge of the federal courts in Iowa..... 1 copy
7. To the clerk of the supreme court of Iowa..... 1 copy
8. To the clerk of each federal court in Iowa..... 1 copy
9. To each state institution under the control of either the state board of education or the state board of control..... 1 copy
10. To each state officer..... 2 copies
11. To the separate departments of principal state offices..... 1 copy
12. To each member of the present and subsequent general assemblies ..... 1 copy
13. To chief clerk of the house..... 1 copy
14. To secretary of the senate..... 1 copy
15. To the reporter of the supreme court and code editor such number of copies as will enable him to perform the duties of his office.
16. To the clerk of the district court, the county attorney, the county auditor, the county recorder, the county treasurer, the sheriff and the county superintendent of each county in the state, to the clerk of each superior or municipal court in the state, and also for use in each court room of the district, superior or municipal court..... 1 volume
17. To the mayor of each city or town in the state on written request, one volume each, and to each justice of the peace, who has qualified as such, one volume on written request.
18. To all public libraries and accredited colleges of the state, one volume each.

##### Sec. 11. Purchase by municipalities.

The board of supervisors may purchase and pay for out of the general fund such additional number of copies of the code and session laws as may be deemed necessary for the use of county and township officers. The council or commission of each city or town including cities acting under special charter shall have like power in order to supply the public offices of the city or town.

**Sec. 12. Distribution of early session laws.**

The superintendent of printing may distribute gratuitously to interested persons or associations the session laws of the thirty-sixth and previous general assemblies; provided that he shall maintain in reserve such number of copies of the acts of each of said general assemblies as may be fixed by the executive council. Such reserve when fixed shall not be distributed except on the order of the executive council.

**Sec. 13. Former statutes to colleges.**

Upon application, in writing, from the librarian or chief executive officer of any incorporated college in this state, the superintendent of printing shall, upon the approval of the executive council, forward to said applicant, without charge, bound volumes of the laws heretofore enacted.

**GENERAL PROVISIONS****Sec. 14. Original enrolled bills.**

In the preparation of the code and session laws the editor of the code shall have the right to the possession of the enrolled bills.

**Sec. 15. Number printed.**

The number of each edition of the code, session laws, annotations and reports of supreme court shall be determined by the printing board.

**Sec. 16. New edition.**

New editions of the code, annotations and reports of the supreme court may be published by the printing board when the supply on hand of the last edition becomes exhausted and when a new edition is necessary in order to meet the demand.

**Sec. 17. Annotations and digests.**

Books of annotations shall, so far as practicable, be printed and bound in the same manner, form, and style as the code.

**Sec. 18. Official statutes.**

The code and session laws published under authority of the state shall constitute the only authoritative publications of the statutes of this state. No other publications of the statutes of the state shall be cited in the courts or in the reports or rules thereof.

**Sec. 19. Publication of parts of code.**

The printing board may cause to be printed from time to time, in the form of leaflets, folders, or pamphlets and in such numbers as the board deems reasonable, parts of the code for the use of public officers. Such orders shall be limited to actual needs as shown by experience or other competent proof, and the printing shall, as far as practicable, be done from the plates or slugs from which the code has been printed.

That section one hundred seventy-five-a thirteen (175-a13) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 20. Publication, sale and distribution.

The code, session laws, annotations, tables of corresponding sections and reports of the supreme court shall be printed, and paid for in the same manner as other public printing, and the printing board shall fix the prices thereof.

That sections one hundred seventy-five-a four (175-a4) to one hundred seventy-five-a eight (175-a8), inclusive, and one hundred seventy-five-a twelve (175-a12) of the supplement to the compiled code of Iowa are amended, revised, and codified to read as follows:

Sec. 21. Editor of code—duties.

The reporter of the supreme court shall be editor of the code and his duties shall be:

1. To submit such recommendations as he deems proper to each general assembly for the purpose of amending, revising, and codifying such portions of the law as may be conflicting, redundant or ambiguous and to lay said recommendations before the presiding officer of each house.

2. To prepare the manuscript copy of all laws, acts and joint resolutions passed at each session of the general assembly, and arrange the same in chapters with comprehensive index and in such manner that each chapter will show the number of the house or senate file.

3. To edit and compile the code after each even-numbered session of the general assembly so that the same may be printed as herein provided.

4. To edit and prepare for publication a series of annotations of the statutes of Iowa containing annotations of all such statutes as have been construed by the supreme court of this state or the federal courts, and cause the same to be printed in separate volumes arranged in the same manner as the titles, chapters, and sections of the code.

5. To re-edit and keep up to date the said annotations so that the same may be printed at any time ordered by the general assembly.

6. To promptly prepare syllabi for all opinions of the supreme court and an index and proper tables for each volume of the reports.

Sec. 22. Printing and reference.

The recommendations of the editor of the code shall be printed in such numbers as the printing board deems necessary for public use, and when laid before the presiding officers of the respective houses shall be referred in each house to appropriate committees.

Sec. 23. Standard for reports.

The size, style, type, binding, and appearance of volume one hundred ninety-five of the supreme court reports shall be substantially followed in the future publication of said reports. A majority of the judges of the supreme court may prescribe a different standard volume.

That section one hundred seventy-five-a nine (175-a9) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 24. Distribution of reports.

The superintendent of printing shall make free distribution of the reports of the supreme court as follows:

1. To library of congress.....	2 copies
2. To library supreme court United States.....	2 copies
3. To each supreme, district, superior, and municipal judge (not including police judges).....	1 copy
4. To each United States district judge whose district lies within this state.....	1 copy
5. To the clerk of the supreme court.....	1 copy
6. To the attorney general.....	1 copy
7. To the state law library.....	90 copies
8. To each county.....	1 copy
9. To each county where district court is held in more than one place .....	2 copies
10. To supreme court reporter.....	2 copies
11. To law library state university.....	50 copies
12. To library state historical society.....	5 copies
13. To the library Iowa state college of agriculture and me- chanic arts.....	2 copies

That section two hundred forty-one-a thirty-eight (241-a38) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 25. Duties.

The superintendent of printing shall:

1. Have an office at the seat of government and devote his entire time to the duties of his position.
2. Have charge of the office equipment and supplies of the printing board and of the stock, if any, required in connection with printing contracts.
3. Have general supervision, under the direction of said board, of all matters pertaining to the enforcement of the contracts of the printing board.
4. Keep a detailed record of all meetings and proceedings of the printing board and of the award of contracts by said board.
5. Prepare, under the direction of said board, the specifications and advertisements for printing.
6. Have control and direction of the document department.
7. Have legal custody of all codes, session laws, books of annotations, and reports of the supreme court and sell, account for, and distribute the same as provided by law.
8. Be responsible on his official bond for the public property coming into his possession.
9. Perform such other duties as are necessary, or incident to his

position, or which may be ordered by the printing board, or required by law.

That sections forty-three-a one (43-a1), forty-three-a two (43-a2), forty-three-a five (43-a5), and forty-three-a six (43-a6) of the supplement to the compiled code of Iowa are amended, revised, and codified to read as follows:

Sec. 26. Citation of permanent code.

The permanent codes published subsequent to the adjournment of the extra session of the Fortieth General Assembly shall be known and cited as "The Code, .....", giving year of edition of such code.

Sec. 27. Form of bills.

Bills designed to amend, revise, codify, or repeal a law:

1. Shall refer to the number of the section or sections of the code to be amended.

2. Shall refer to the number of the chapter or chapters of the code to be amended.

3. Shall refer to the number of the general assembly and of the section and chapter of the acts thereof to be amended in case the bill relates to a section or sections of an act not appearing in the code.

4. All references shall be expressed in words, followed by the numerals in parentheses ( ), and if omitted the reporter of the supreme court preparing acts for publication in the session laws shall supply the same.

Sec. 28. Accounting.

All public officers who have come into possession of codes, supplements to the code, and session laws, and who are under legal obligation to account therefor, shall make such accounting under the laws heretofore in force.

Sec. 29. Delivery of present laws.

Upon taking effect of this act, the secretary of state shall deliver to the superintendent of printing all codes, supplements, session laws and reports of the supreme court then in the possession of said secretary.

Sec. 30. Appropriation.

There is hereby appropriated out of any money in the treasury not otherwise appropriated an amount sufficient to defray all expenses incurred in the carrying out of the provisions of this act.

Sec. 31. Publication clause.

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

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend the substitute amendment by Doolittle of Delaware to House File No. 289 by inserting after the word "mayor" in line one (1) of subsection 17 of section 10 the words "and police judge".

Amendment to the substitute amendment adopted.

Doolittle of Delaware offered the following amendment and moved its adoption:

Amend the substitute amendment to House File No. 289 by inserting after the word "code" in line one (1) of section 15 the following: ", tables of corresponding sections".

Amendment to the substitute amendment adopted.

Parsons of Calhoun offered the following amendment and moved its adoption:

Amend the substitute amendment by Doolittle of Delaware to House File No. 289 by inserting after the word "superintendent" in line four (4) of subsection 16 of section 10 the words "and to each member of the board of supervisors".

Williams of Montgomery offered the following amendment as a substitute for the amendment offered by Parsons of Calhoun and moved its adoption:

Amend the substitute amendment offered by Doolittle of Delaware to House File No. 289 by striking therefrom all of subsections 16, 17 and 18 of section 10.

A division of the amendment was asked for.

On the question "Shall subsection 16 of section 10 be stricken?" a roll call was demanded.

The ayes were:

Buffington	Leonard	Patterson	Storey
Children	Long	Powers	Ulstad
Doolittle	Mathews	Rassler	Williams
Gilbertson	Moen	Rust	Wilson
Graham	Natvig	Slemmons	Wolfe
Hansen	Parsons	Stock	Mr. Speaker—25
Harrison			

The nays were:

Aiken	Gallagher	Johnson	Sampson
Anderson of Webster	Garber of Adair Garber of Floyd	Lake Letts	Saunders Schirmer
Berry	Gibson	Lovrien	Scott of
Blake	Gilbert	Napier	Appanoose
Blume	Gilmore	Noble	Scott of Fremont
Bradley	Grimwood	O'Donnell	Smith of
Brady	Hauge	Orr	Chickasaw
Brittain	Healy	Peterson	Stookesberry
Cole	Hempel	Potts	Venard
Diltz	Henderson	Rankin	Vincent
Dooley	Hollis	Rhinehart	Wamstad
Foraling	Huff	Rumley	Weber—49

## Absent or not voting:

Carter	Elliott	Lichty	Quirk
Clark	Fackler	Lieberknecht	Ramsey
Colbert	Frahm	McClune	Rewoldt
Criswell	Gesman	Matthiesen	Robson
Dewar	Hattendorf	Miller	Schulte
Donhowe	Held	Oliver	Smith of Lucas
Dotts	Himebauch	Olson	Strippel
Edge	King	Ontjes	Yenter—34
Edson	Knutson		

The amendment by Williams of Montgomery to strike out subsection 16 of section 10 was lost.

On the question "Shall subsection 17 of section 10 be stricken?" a roll call was demanded.

## The ayes were:

Anderson of Webster	Graham	Natvig	Slemmons
Blume	Harrison	Parsons	Smith of Chickasaw
Bradley	Hauge	Patterson	Stock
Buffington	Healy	Peterson	Stookesberry
Cole	Hempel	Potts	Storey
Dooley	Henderson	Powers	Ulstad
Doolittle	Hollis	Rankin	Vincent
Gallagher	Huff	Rassler	Vincent
Garber of Adair	Johnson	Rhinehart	Wamstad
Garber of Floyd	Lake	Rumley	Weber
Gibson	Letts	Schirmer	Williams
Gilbertson	Long	Schulte	Wolfe
Gilmore	Lovrien	Scott of Appanoose	Mr. Speaker—52
	Moen		

## The nays were:

Aiken	Diltz	Mathews	Sampson
Berry	Forsling	Napier	Saunders
Blake	Gilbert	O'Donnell	Scott of Fremont
Brady	Grimwood	Orr	Venard
Brittain	Hansen	Rust	Wilson—22
Children	Leonard		

## Absent or not voting:

Carter	Elliott	Lichty	Ontjes
Clark	Fackler	Lieberknecht	Quirk
Colbert	Frahm	McClune	Ramsey
Criswell	Gesman	Matthiesen	Rewoldt
Dewar	Hattendorf	Miller	Robson
Donhowe	Held	Noble	Smith of Lucas
Dotts	Himebauch	Oliver	Strippel
Edge	King	Olson	Yenter—34
Edson	Knutson		

The amendment by Williams of Montgomery to strike out subsection 17 of section 10 was adopted.

The amendment by Williams of Montgomery to strike out subsection 18 of section 10 was adopted.

By unanimous consent the amendment offered by Parsons of Calhoun to subsection 16 of section 10 was withdrawn.

Williams of Montgomery offered the following amendment and moved its adoption:

Amend the substitute amendment by Doolittle of Delaware to House File No. 289 by striking out the last sentence of subsection 7 of section 1.

Amendment to the substitute amendment adopted.

Lovrien of Humboldt offered the following amendment and moved its adoption:

Amend the substitute amendment by Doolittle of Delaware to House File No. 289 by adding at the end of section eleven thereof the following: "Each officer, except a state officer, at the expiration of his term of office, shall deliver any code and session laws furnished to him to his successor in office."

Amendment adopted.

On motion of Doolittle of Delaware the substitute amendment to House File No. 289, as amended, was adopted.

Mr. Doolittle moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Floyd	Mathews	Schulte
Anderson of	Gibson	Moen	Scott of
Webster	Gilbert	Napier	Appanoose
Berry	Gilbertson	Natvig	Scott of Fremont
Blake	Gilmore	Noble	Slemmons
Blume	Graham	O'Donnell	Smith of
Bradley	Grimwood	Orr	Chickasaw
Brady	Hansen	Parsons	Stock
Brittain	Harrison	Patterson	Stookesberry
Buffington	Healy	Peterson	Storey
Children	Hempel	Potts	Ulstad
Cole	Henderson	Powers	Venard
Dewar	Hollis	Rankin	Vincent
Diltz	Huff	Rassler	Wamstad
Dooley	Johnson	Rhinehart	Weber
Doolittle	Lake	Rumley	Williams
Fackler	Leonard	Rust	Wilson
Forsling	Letts	Sampson	Wolfe
Gallagher	Long	Saunders	Mr. Speaker—76
Garber of Adair	Lovrien	Schirmer	

The nays were, none.

Absent or not voting:

Carter	Elliott	Knutson	Ontjes
Clark	Frahm	Lichty	Quirk
Colbert	Gesman	Lieberknecht	Ramsey
Criswell	Hattendorf	McClune	Rewoldt
Donhowe	Hauge	Matthiesen	Robson
Dotts	Held	Miller	Smith of Lucas
Edge	Himebauch	Oliver	Strippel
Edson	King	Olson	Yenter—32

So the bill having received a constitutional majority was declared to have passed the House.

Doolittle of Delaware offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 289 by changing the period (.) at the end thereof to a comma (,) and by adding thereto the following: "establishing a code supervising committee and making appropriation therefor."

Amendment adopted and the title, as amended, was agreed to.

#### HOUSE FILE WITHDRAWN

On request of Gilbert of Marshall, unanimous consent having been obtained, House File No. 6 was withdrawn from the calendar and from further consideration by the House.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following bills: Senate Files Nos. 91, 179, 203, 205, 299, 301, 303, 304 and 305.

#### AMENDMENTS FILED

Clark of Linn filed the following amendments to the committee amendments to House File No. 84:

Amend House File No. 84 by amending subsection 2 of section 345, and subsection 3 of said section 345, as proposed by the committee, by substituting therefor the following:

2. In counties having a population of more than thirty-five thousand (35,000) and less than fifty thousand (50,000) a chief probation officer at a salary of not more than fifteen hundred dollars (\$1500.00) per year, and the court may also appoint one deputy at a salary of not more than twelve hundred dollars (\$1200.00) per year.

3. In counties having a population of more than fifty thousand (50,000) and less than one hundred twenty-five thousand (125,000) a chief probation officer at a salary of not more than eighteen hundred dollars (\$1800.00) per year, and the court may appoint one deputy at a salary of not more than fifteen hundred dollars (\$1500.00) per year.

Children of Pottawattamie filed the following amendments to House File No. 84:

Amend House File No. 84 as follows:

(1) Amend section 265, line three (3), by striking the words "board of commissioners" and inserting the word "commission".

(2) Strike the word "Board" in the chapter heading of chapter 11 and insert the word "Commission". Strike the word "board" wherever it appears in the catch words in chapter 11 and insert the word "commission".

(3) Amend sections 266, 267, 268, 269, 271, 272, 273, 276, 278, 279, 282, 284, 285, 286, 287, 288, 289, 294, 295, 297, 298, 301, 302, 315 and 316 by striking the word "board" wherever it appears in such sections and inserting the word "commission".

(4) Amend section 296, line one (1), by striking the word "boards" and inserting the word "commissions".

(5) Amend section 299 by striking the word "board" as it appears in line two (2) and also as it appears as the first word in line five (5) and inserting in each case the word "commission".

(6) Amend section 300, line one (1), by striking the word "board" and inserting the word "commission".

(7) Amend sections 303 and 317 by striking the word "board" from lines one (1) and six (6) of said sections and inserting in each case the word "commission".

(8) Amend section 318 by striking the word "board" as it appears in line one (1) and inserting the word "commission"; and also by inserting between the words "board" and "with" the words "of control" in line four (4) of such section.

(9) Amend section 319 by striking the word "board" as it appears the second time in lines three (3) and eight (8) of such section and inserting in each case the word "commission".

(10) Amend section 274 by striking the word "board" as it appears in lines two (2), seven (7) and nine (9) of such section and inserting the word "commission" in each case.

On motion of Sampson of Audubon the House adjourned until 9:30 a. m. Tuesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 1, 1924.

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

Prayer was offered by the Rev. Mott R. Sawyers, pastor of the First Presbyterian church, Centerville, Iowa.

Journal of March 31st corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Olson of Clinton for the day, on request of Hansen of Scott; Ramsey of Butler for the day, on request of Yenter of Johnson.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 57, 200, 266, 77 and 196.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report 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 President has appointed Senators Kimberly, Banta, Shane, and Darting as members of the conference committee on the part of the Senate on Senate File No. 27, a bill for an act relating to absent voters.

Also, that the Senate has adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate concurrent resolution No. 17, relative to the appointment of a committee to investigate and report on the advisability of the purchase of certain lands for the state.

LEON W. AINSWORTH, *Secretary.*

## SENATE CONCURRENT RESOLUTION NO. 17

Whereas, it appears that the state has opportunity to purchase the L. C. Willets' farm of approximately 363 acres, located near the state institution at Mt. Pleasant, at a price well within its value; and,

Whereas, it appears that said land is very desirable for the use of said institution; now, therefore,

*Be It Resolved by the Senate the House concurring:* That a committee of four be appointed, two appointed by the President of the Senate and two by the Speaker of the House, to inspect said land and the general condition surrounding the same, to take into consideration the purchase of said land to ascertain upon what terms and conditions the land can be purchased and to report to the Senate and the House at the earliest possible date.

Laid over under rule 34.

## CONSIDERATION OF BILLS

House File No. 309, a bill for an act to amend, revise, and codify section forty-two hundred seventy (4270) of the compiled code of Iowa, relating to cities operating under the commission plan, was taken up for consideration.

Anderson of Webster moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Edge Elllott	Henderson Long	Robson Saunders
Children	Forsling	O'Donnell	I'lstad
Crisswell	Garber of Adair	Rankin	Vincent
Doolittle	Graham	Rhinehart	Mr. Speaker—20
Dotts			

The nays were:

Berry	Gilbertson	Moen	Schulte
Blake	Gilmore	Napier	Scott of
Blume	Grimwood	Natvig	Appanoose
Bradley	Healy	Noble	Scott of Fremont
Brittain	Hempel	Ontjes	Smith of
Buffington	Himebauch	Orr	Chickasaw
Colbert	Hollis	Parsons	Stock
Dewar	Huff	Patterson	Stookesberry
Donhowe	Johnson	Peterson	Storey
Dooley	Lake	Powers	Strippel
Fackler	Letts	Rassler	Wamstad
Gallagher	Lichty	Rewoldt	Weber
Garber of Floyd	McClune	Rust	Wilson—53
Gesman	Miller	Schrmer	

## Absent or not voting:

Alken	Gilbert	Lieberknecht	Rumley
Brady	Hansen	Lovrien	Sampson
Carter	Harrison	Mathews	Slemmons
Clark	Hattendorf	Matthiesen	Smith of Lucas
Cole	Hauge	Oliver	Venard
Diltz	Held	Olson	Williams
Edson	King	Potts	Wolfe
Frahm	Knutson	Quirk	Yenter—35
Gibson	Leonard	Ramsey	

The bill having failed to receive a constitutional majority was declared to have failed to pass the House.

House File No. 84, a bill for an act to amend, revise, and codify title nine (9) of the compiled code of Iowa and of the supplement to said code, relating to charitable, correctional, and penal institutions, and the juvenile court, with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of March 21st, were taken up and considered.

On motion of Grimwood of Jones committee amendments Nos. 1 to 4, inclusive, and the committee amendments to subsections one (1) and two (2) of section 90 were adopted.

McClune of Mahaska offered the following amendment as a substitute for the committee amendment to subsection three (3) of section 90:

Amend House File No. 84, section 90, subsection 3, line 16, by striking therefrom the words and figures "prior to nineteen hundred five (1905)".

Mr. McClune moved that the amendment be substituted for the committee amendment to said subsection.

On the question "Shall the amendment by McClune of Mahaska be substituted for the committee amendment to subsection 3 of section 90?" a roll call was demanded.

## The ayes were:

Bradley	Elliott	Lichty	Rewoldt
Brittain	Graham	McClune	Sampson
Colbert	Hempel	Orr	Wamstad
Doolittle	Hollis	Rassler	Yenter—16

The nays were:

Anderson of	Garber of Floyd	Napier	Scott of
Webster	Gesman	Natvig	Appanoose
Blake	Gibson	Noble	Scott of Fremont
Blume	Gilbert	O'Donnell	Slemmons
Brady	Grimwood	Ontjes	Smith of
Buffington	Henderson	Parsons	Chickasaw
Carter	Johnson	Patterson	Stock
Children	Lake	Powers	Stookesberry
Cole	Leonard	Rankin	Ulstad
Criswell	Letts	Rhinehart	Weber
Dooley	Long	Robson	Williams
Dotts	Lovrien	Rumley	Wilson
Edge	Mathews	Rust	Wolfe
Gallagher	Miller	Saunders	Mr. Speaker—56
Garber of Adair	Moen	Schulte	

Absent or not voting:

Alken	Frahm	Himebauch	Potts
Berry	Gilbertson	Huff	Quirk
Clark	Gilmore	King	Ramsey
Dewar	Hansen	Knutson	Schirner
Diltz	Harrison	Lieberknecht	Smith of Lucas
Donhowe	Hattendorf	Matthiesen	Storey
Edson	Hauge	Oliver	Strippel
Fackler	Healy	Olson	Venard
Forsling	Held	Peterson	Vincent—36

The motion to substitute was lost.

On motion of Grimwood of Jones the committee amendment to subsection 3 of section 90 was adopted.

On motion of Grimwood of Jones committee amendments Nos. 6 to 33, inclusive, were adopted.

The following amendment filed by Clark of Linn as a substitute for the first two paragraphs of committee amendment No. 34 was taken up and considered:

Amend House File No. 84 by substituting for the committee amendments to subsection 2 of section 345 the following:

2. In counties having a population of more than thirty-five thousand (35,000) and less than fifty thousand (50,000) a chief probation officer at a salary of not more than fifteen hundred dollars (\$1500.00) per year, and the court may also appoint one deputy at a salary of not more than twelve hundred dollars (\$1200.00) per year.

3. In counties having a population of more than fifty thousand (50,000) and less than one hundred twenty-five thousand (125,000) a chief probation officer at a salary of not more than eighteen hundred dollars (\$1800.00) per year, and the court may appoint one deputy at a salary of not more than fifteen hundred dollars (\$1500.00) per year.

On motion of Lake of Woodbury the substitute amendment was adopted.

On motion of Grimwood of Jones the last paragraph of committee amendment No. 34, renumbering subsection 3 as subsection 4, was adopted.

On motion of Grimwood of Jones committee amendments Nos. 35 to 37, inclusive, were adopted.

The additional amendments proposed by the committee, found in the Journal of March 27th, were taken up and considered.

On motion of Grimwood of Jones committee amendment No. 1 was adopted.

Grimwood of Jones offered the following amendment to committee amendment No. 2:

Amend the committee amendment to section 461 of House File No. 84, by inserting after the word "corporation" in the last line thereof, the following: ". but such contract shall not extend beyond July 1, 1927".

On motion of Leonard of Taylor the House adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

The House reconvened. Speaker Anderson in the chair.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Smith of Lucas for the afternoon, on request of Ulstad of Wright; Lieberknecht of Louisa for the afternoon, on request of Wilson of Tama; King of Clay for the afternoon, on request of Johnson of Dickinson; Quirk of Sac for the afternoon, on request of Johnson of Dickinson; Clark of Linn for the afternoon, on request of Saunders of Palo Alto.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 100 and 261-A.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 57, 200, 266, 77, 196, 100 and 261-A.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this first day of April, 1924, sent to the Governor for his approval:

House Files Nos. 77, 196, 100, 261-A, 57, 200 and 266.

C. F. LETTS, *Chairman.*

Report adopted.

## BUSINESS PENDING

The House resumed consideration of House File No. 84.

The question was on the amendment by Grimwood of Jones to committee amendment No. 2.

On the question "Shall the amendment by Grimwood of Jones be adopted?" a roll call was demanded.

The ayes were:

Bradley	Garber of Adair	Long	Sampson
Brady	Garber of Floyd	Lovrien	Saunders
Brittain	Gibson	McClune	Schirmer
Buffington	Gilbertson	Miller	Schulte
Carter	Gilmore	Natvig	Scott of Fremont
Children	Grimwood	Noble	Slemmons
Cole	Hansen	Ontjes	Smith of
Dewar	Hauge	Orr	Chickasaw
Donhowe	Healy	Parsons	Storey
Dooley	Hempel	Patterson	Strippel
Doolittle	Henderson	Peterson	Vincent
Dotts	Hollis	Powers	Wamstad
Edson	Johnson	Rhinehart	Williams
Fackler	Letts	Robson	Wilson
Gallagher	Lichty	Rust	Yenter—59

The nays were:

Aiken	Criswell	Graham	Mathews
Anderson of	Diltz	Harrison	Moen
Webster	Edge	Himebauch	Napier
Berry	Elliott	Huff	O'Donnell
Blake	Forsling	Knutson	Potts
Blume	Gesman	Lake	Rankin
Colbert	Gilbert	Leonard	Raseler

Rewoldt	Stock	Venard	Mr. Speaker—36
Scott of	Stookesberry	Weber	
Appanoose	Ulstad	Wolfe	

Absent or not voting:

Clark	King	Olson	Rumley
Frahm	Lieberknecht	Quirk	Smith of
Hattendorf	Matthiesen	Ramsey	Lucas—13
Held	Oliver		

The amendment by Grimwood of Jones to committee amendment No. 2 was adopted.

On motion of Mr. Grimwood committee amendment No. 2, as amended, was adopted.

On motion of Potts of Lee the first three (3) divisions of committee amendment No. 3, adding sections 461-a1, 461-a2 and 461-a3, were adopted.

Garber of Adair in the chair.

Lovrien of Humboldt offered the following amendment to the fourth division of committee amendment No. 3 and moved its adoption:

Amend committee amendment No. 3 which adds section 461-a4 to House File No. 84 by inserting after the word "supplies" in line one (1) thereof the words "so listed, except in case of emergency,".

Rassler of Pocahontas moved the previous question on the amendment by Lovrien of Humboldt.

Motion prevailed.

On the question "Shall the amendment by Lovrien of Humboldt be adopted?" a roll call was demanded.

The ayes were:

Anderson of	Edge	Hollis	Ontjes
Webster	Elliott	Huff	Orr
Berry	Fackler	Johnson	Parsons
Blake	Forsling	Knutson	Peterson
Blume	Garber of Floyd	Lake	Potts
Bradley	Gesman	Leonard	Powers
Brady	Gibson	Letts	Rankin
Buffington	Gilbertson	Lichty	Rassler
Carter	Grimwood	Long	Rewoldt
Colbert	Hansen	Lovrien	Rhinehart
Cole	Harrison	McClune	Robson
Criswell	Hauge	Mathews	Sampson
Diltz	Healy	Moen	Schirmer
Donhowe	Held	Napier	
Doolittle	Hempel	Natvig	
Dotts	Henderson	O'Donnell	

Schulte	Scott of Fremont	Ulstad	Wilson
Scott of Appanoose	Stock	Venard	Wolfe
Smith of Chickasaw	Stokesberry	Vincent	Yenter—76
	Storey	Weber	
	Strippel	Williams	

The nays were:

Brittain	Dooley	Miller—3
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Absent or not voting:

Aiken	Gallagher	Lieberknecht	Rumley
Anderson of Winnebago	Garber of Adair	Matthiesen	Rust
Children	Gilbert	Noble	Saunders
Clark	Gilmore	Oliver	Slemmons
Dewar	Graham	Olson	Smith of Lucas
Edson	Hattendorf	Patterson	Wamstad—29
Frahm	Himebauch	Quirk	
	King	Ramsey	

The amendment by Lovrien of Humboldt to the fourth division of committee amendment No. 3 was adopted.

Potts of Lee moved the adoption of the fourth division of committee amendment No. 3, as amended.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Fackler	Johnson	Rust
Berry	Forsling	Lake	Sampson
Blake	Garber of Adair	Leonard	Saunders
Blume	Gesman	Lichty	Schirmer
Brady	Gibson	Long	Scott of Fremont
Carter	Gilbert	Lovrien	Smith of Chickasaw
Children	Gilbertson	McClune	Storey
Colbert	Graham	Mathews	Strippel
Cole	Grimwood	Moen	Ulstad
Criswell	Harrison	Napier	Venard
Donhowe	Healy	O'Donnell	Vincent
Dotts	Held	Peterson	Weber
Edge	Hempel	Potts	Williams
Edson	Himebauch	Rankin	Wilson
Elliott	Hollis	Rewoldt	Wolfe—62
	Huff	Rhinehart	

The nays were:

Bradley	Gilmore	Noble	Schulte
Brittain	Hansen	Ontjes	Scott of Appanoose
Buffington	Hauge	Orr	Slemmons
Dewar	Henderson	Parsons	Stock
Diltz	Knutson	Patterson	Stokesberry
Dooley	Letts	Powers	Wamstad
Doolittle	Miller	Rassler	Yenter—31
Garber of Floyd	Natvig	Robson	

## Absent or not voting:

Aiken	Gallagher	Matthiesen	Ramsey
Anderson of Winnebago	Hattendorf	Oliver	Rumley
Clark	King	Olson	Smith of Lucas—15
Frahm	Lieberknecht	Quirk	

The fourth division of committee amendment No. 3, as amended, was adopted.

McClune of Mahaska offered the following amendment to the fifth division of committee amendment No. 3 and moved its adoption:

Amend the fifth division of committee amendment No. 3 which adds section 461-a5 to House File No. 84 by striking out the word "of" in line one (1) and inserting the words "manufactured by" in line thereof; and by inserting after the word "labor" in line one (1) thereof the words "within the state".

Amendment by McClune of Mahaska was adopted.

On motion of Potts of Lee the fifth division of committee amendment No. 3, as amended, was adopted.

Wamstad of Mitchell offered the following amendment to the sixth division of committee amendment No. 3 and moved its adoption:

Amend the sixth division of committee amendment No. 3 which adds section 461-a6 to House File No. 84 by striking out of line six (6) thereof the words "or the products or profits of his work"; also, amend by striking out all of the section following the word "corporation" in line seven (7) thereof and inserting in lieu thereof a period (.)

Amendment by Wamstad of Mitchell was adopted.

Potts of Lee moved to reconsider the vote by which the amendment by Wamstad of Mitchell was adopted.

On the question "Shall the House reconsider the vote by which the amendment by Wamstad of Mitchell was adopted?" a roll call was demanded.

## The ayes were:

Aiken	Diltz	Knutson	Rankin
Anderson of Webster	Forsling	Lake	Rewoldt
Blake	Gesman	Leonard	Rhinehart
Blume	Gilbert	Lichty	Ulstad
Brady	Graham	Mathews	Weber
Criswell	Harrison	O'Donnell	Wolfe—26
	Huff	Potts	

The nays were:

Bradley	Garber of Floyd	McClune	Schulte
Brittain	Gibson	Miller	Scott of
Buffington	Gilbertson	Moen	Appanoose
Carter	Gilmore	Napier	Scott of Fremont
Children	Grimwood	Natvig	Slemmons
Colbert	Hansen	Noble	Smith of
Cole	Hauge	Orr	Chickasaw
Dewar	Healy	Parsons	Stock
Donhowe	Held	Patterson	Stookesberry
Dooley	Hempel	Peterson	Storey
Doolittle	Henderson	Powers	Strippel
Dotts	Himebauch	Rassler	Venard
Edge	Hollis	Robson	Vincent
Edson	Johnson	Rust	Wamstad
Elliott	Letts	Sampson	Williams
Fackler	Long	Saunders	Wilson
Garber of Adair	Lovrien	Schirmer	Yenter—66

Absent or not voting:

Anderson of	Gallagher	Oliver	Ramsey
Winnebago	Hattendorf	Olson	Rumley
Berry	King	Ontjes	Smith of Lucas
Clark	Lieberknecht	Quirk	—16
Frahm	Matthiesen		

The House refused to reconsider the vote by which the amendment by Wamstad of Mitchell was adopted.

#### AMENDMENTS FILED

Grimwood of Jones filed the following amendment to House File No. 84:

Amend section 447-a1 of House File No. 84 by inserting after the word "the" in line one (1) thereof the words "deputy warden, assistant deputy warden."

Potts of Lee filed the following amendments to House File No. 84:

(1) Amend House File No. 84 by adding thereto the following as section 461-a7:

Sec. 461-a7. Convicts available for road work.

The board of control shall monthly certify to the board of supervisors of each county the number of persons in the penitentiary and reformatory who may be used for road work. The state highway commission, board of supervisors and township trustees shall use such persons in the building or repairing of public roads, whenever, in their judgment, it is practicable so to do.

(2) Amend House File No. 84 by adding thereto the following as section 461-a8:

Sec. 461-a8. Supervision of work.

The work herein provided for shall be under the direction and supervision of the board of supervisors but all the persons taken from said penitentiary and reformatory shall be under jurisdiction of the state board of control.

Blake of Fayette filed the following amendments to the amendments filed by Potts of Lee, adding section 461-a7 to House File No. 84:

(1) Amend by inserting a comma (,) after the word "shall" in line three (3); also by striking the word "monthly" and inserting in lieu thereof the following: "at such times as they may deem practicable,".

(2) Also amend by inserting the words "the warden" after the word "who" in line seven (7). Also insert the words "recommend to" after the word "may" in line seven (7).

Blake of Fayette filed the following amendments to House File No. 313:

Amend House File No. 313 as follows:

(1) Amend section 1 by inserting the word "false" after the word "any" in line two (2); also insert the word "false" after the word "such" in line nine (9).

(2) Strike the words "or by inference" from line four (4).

(3) Strike out words "bank, or trust company organized under the laws of this state or of the United States," and insert in lieu thereof the words "person, firm or corporation".

Saunders of Palo Alto filed the following amendment to Substitute for Senate File No. 186:

Amend subsection four (4) of section two (2) of Substitute for Senate File No. 186 by inserting after the word "used" in line twenty-four (24) the following: ", also the capacity of machinery in horse power to be installed".

On motion of Diltz of Polk the House adjourned until 9:30 a. m. Wednesday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 2, 1924.

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

Prayer was offered by the Rev. W. A. Shullenberger, pastor of the Central Church of Christ, Des Moines.

Journal of April 1st corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Harrison of Pottawattamie for the day, on request of Ulstad of Wright; Lieberknecht of Louisa for the day, on request of Wilson of Tama; Rumley of Decatur for the day, on request of Potts of Lee; Olson of Clinton for the day, on request of Donhowe of Story.

## BUSINESS PENDING

The House resumed consideration of House File No. 84, a bill for an act to amend, revise, and codify title nine (9) of the compiled code of Iowa and of the supplement to said code, relating to charitable, correctional, and penal institutions, and the juvenile court, together with additional committee amendments proposed thereto, found in the Journal of March 27th.

The question before the House was on the sixth division of committee amendment No. 3, as amended.

On motion of Grimwood of Jones the sixth division of committee amendment No. 3, as amended, was adopted.

Potts of Lee offered the following amendment to the seventh division of committee amendment No. 3 and moved its adoption:

Amend the seventh division of committee amendment No. 3 to House File No. 84 by striking therefrom the last sentence.

Amendment adopted.

Mr. Potts moved the adoption of the seventh division of committee amendment No. 3, as amended, and demanded a roll call.

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

The ayes were:

Alken	Dotts	Himebauch	Rewoldt
Anderson of	Forsling	Huff	Schirmer
Webster	Frahm	Knutson	Scott of
Berry	Gallagher	Lake	Appanoose
Blake	Gesman	Lichty	Smith of Lucas
Blume	Gilbertson	Mathews	Stock
Brady	Graham	Napier	Ulstad
Cole	Hansen	O'Donnell	Weber
Criswell	Hauge	Potts	Mr. Speaker—37
Diltz	Healy	Rankin	

The nays were:

Bradley	Gilmore	Natvig	Schulte
Brittain	Grimwood	Oliver	Scott of Fremont
Buffington	Held	Ontjes	Slemmons
Carter	Hempel	Orr	Smith of
Children	Henderson	Parsons	Chickasaw
Clark	Hollis	Patterson	Stookesberry
Colbert	Johnson	Powers	Storey
Dewar	King	Quirk	Strippel
Dooley	Letts	Ramsey	Vincent
Doolittle	Long	Rhinehart	Wamstad
Edge	McClune	Robson	Williams
Garber of Floyd	Miller	Rust	Wilson
Gibson	Moen	Saunders	Yenter—51

Absent or not voting:

Donhowe	Gilbert	Lovrien	Rassler
Edson	Harrison	Matthiesen	Rumley
Elliott	Hattendorf	Noble	Sampson
Fackler	Leonard	Olson	Venard
Garber of Adair	Lieberknecht	Peterson	Wolfe—20

The seventh division of committee amendment No. 3, as amended, was rejected.

By unanimous consent the eighth division of committee amendment No. 3 was withdrawn.

By unanimous consent committee amendment No. 4 was withdrawn.

The following amendments filed by Potts of Lee were taken up and considered:

(1) Amend House File No. 84 by adding thereto the following as section 461-a7:

**Sec. 461-a7. Convicts available for road work.**

The board of control shall monthly certify to the board of supervisors of each county the number of persons in the penitentiary and reformatory who may be used for road work. The state highway commission, board of supervisors and township trustees shall use such persons in the building or repairing of public roads, whenever, in their judgment, it is practicable so to do.

(2) Amend House File No. 84 by adding thereto the following as section 461-a8:

**Sec. 461-a8. Supervision of work.**

The work herein provided for shall be under the direction and supervision of the board of supervisors but all the persons taken from said penitentiary and reformatory shall be under jurisdiction of the state board of control.

The following amendments filed by Blake of Fayette to the amendments filed by Potts of Lee were taken up and considered:

(1) Amend by inserting a comma (,) after the word "shall" in line three (3); also by striking the word "monthly" and inserting in lieu thereof the following: "at such times as they may deem practicable,".

(2) Also amend by inserting the words "the warden" after the word "who" in line three (3); also strike out the said word "who" and insert in lieu thereof the word "when". Also insert the words "recommend to" after the word "may" in line seven (7).

By unanimous consent the following amendment offered by McClune of Mahaska was substituted for amendment No. 1 by Blake of Fayette:

Amend the amendment by Potts of Lee which adds section 461-a7 to House File No. 84 by striking out the word "monthly" in the first line thereof; also, amend by inserting after the word "county" in line two (2) thereof the following: ", upon request,"; also, amend by striking out the word "shall" in line four (4) thereof and inserting in lieu thereof the word "may".

On motion of Mr. McClune the amendment was adopted.

Blake of Fayette moved the adoption of amendment No. 2 to the amendments filed by Potts of Lee.

Amendment No. 2 by Blake of Fayette to the amendments filed by Potts of Lee was adopted.

Wamstad of Mitchell offered the following amendment to the amendments by Potts of Lee and moved its adoption:

Amend the amendment by Potts of Lee which adds section 461-a7 to House File No. 84 by striking out the word "each" in line two (2) thereof and inserting in lieu thereof the words "any".

Amendment adopted.

Potts of Lee moved the adoption of his amendments, as amended, adding sections 461-a7 and 461-a8 to House File No. 84, and demanded a roll call.

On the question "Shall the amendments, as amended, be adopted?"

The ayes were:

Anderson of	Frahm	Letts	Rewoldt
Webster	Gallagher	Lichty	Sampson
Berry	Gesman	Lovrien	Saunders
Blake	Gilbertson,	McClune	Schirmer
Blume	Hansen	Mathews	Scott of
Bradley	Hauge	Napier	Appanoose
Brady	Healy	Natvig	Slemmons
Buffington	Hempel	Noble	Smith of Lucas
Children	Henderson	O'Donnell	Stock
Clark	Himebauch	Oliver	Storey
Colbert	Hollis	Parsons	Ulstad
Cole	Huff	Patterson	Wamstad
Criswell	Johnson	Peterson	Weber
Diltz	King	Potts	Wilson
Donhowe	Knutson	Quirk	Wolfe
Dotts	Lake	Ramsey	Mr. Speaker—65
Edge	Leonard	Rankin	

The nays were:

Brittain	Gibson	Orr	Smith of
Carter	Gilmore	Powers	Chickasaw
Dewar	Grimwood	Rassler	Stookesberry
Dooley	Held	Rhinehart	Strippel
Doolittle	Long	Robson	Venard
Edson	Miller	Rust	Vincent
Garber of Adair	Moen	Schulte	Williams
Garber of Floyd	Ontjes	Scott of Fremont	Yenter—31

Absent or not voting:

Aiken	Forsling	Harrison	Matthiesen
Elliott	Gilbert	Hattendorf	Olson
Fackler	Graham	Lieberknecht	Rumley—12

The amendments by Potts of Lee, as amended, were adopted.

The following amendment filed by Diltz of Polk was taken up and considered:

Amend House File No. 84 by striking all of section 341 and inserting in lieu thereof the following:

"Sec. 341. Designation of judge—effect.

The designation of any judge to hold the juvenile court shall not deprive him of other judicial functions, or the other judges of the power to act as judges of the juvenile court during the absence, inability to act or upon request of the regularly designated juvenile judge."

On motion of Mr. Diltz the amendment was adopted.

The following amendments filed by Moen of Lyon were taken up and considered:

Amend House File No. 84 as follows:

(1) Amend section 13 by inserting after the word "appropriated" in line one (1) the following: "until July 1, 1925,".

(2) Amend section 56 by inserting in line three (3) after the word "appropriated" the following: "until July 1, 1925,".

(3) Amend section 109 by inserting after the word "appropriated" in line 2 the following: "until July 1, 1925,".

(4) Amend section 110 by inserting after the word "appropriated" in line 5 the following: "until July 1, 1925,".

(5) Amend section 123 by adding after the word "appropriated" in line 5 the following: "until July 1, 1925,".

(6) Amend section 126 by inserting after the word "appropriated" in line 3 the following: "until July 1, 1925,".

(7) Amend section 130 by inserting after the word "appropriated" in line 1 the following: "until July 1, 1925,".

(8) Amend section 140 by inserting after the word "appropriated" in line 2 the following: "until July 1, 1925,".

(9) Amend section 205 by inserting after the word "appropriated" in line 4 the following: "until July 1, 1925,".

(10) Amend section 206 by inserting after the word "appropriated" in line 4 the following: "until July 1, 1925,".

(11) Amend section 246 by inserting after the word "appropriated" in line 5 the following: "until July 1, 1925,".

(12) Amend section 253 by inserting after the word "appropriated" in line 1 the following: "until July 1, 1925,".

(13) Amend section 426 by inserting after the word "appropriated" in line 1 the following: "until July 1, 1925,".

(14) Amend section 444 by inserting after the word "appropriated" in line 1 the following: "until July 1, 1925,".

(15) Amend section 479 by inserting after the word "appropriated" in line 3 the following: "until July 1, 1925,".

(16) Amend section 480 by inserting after the word "appropriated" in line 10 the following: "until July 1, 1925,".

(17) Amend section 485 by inserting after the word "appropriated" in line 1 the following: "until July 1, 1925,".

On motion of Mr. Moen the amendments were adopted.

The following amendment filed by Grimwood of Jones was taken up and considered:

Amend House File No. 84 by inserting immediately after section 411 the following:

"Sec. 411-a1. Unincorporated institutions.

All private unincorporated institutions devoted to the reception and care of neglected, dependent and delinquent children shall be subject to the supervision and inspection of the board of control which may at any time require such information of such institutions as it may deem necessary in order to render its supervision and inspection effective."

On motion of Mr. Grimwood the amendment was adopted.

By unanimous consent the amendment filed by Grimwood of Jones on April 1st was withdrawn.

By unanimous consent the amendments filed by Potts of Lee on March 21st were withdrawn.

The following amendments filed by Children of Pottawattamie were taken up and considered:

Amend House File No. 84 as follows:

(1) Amend section 265, line three (3), by striking the words "board of commissioners" and inserting the word "commission".

(2) Strike the word "Board" in the chapter heading of chapter 11 and insert the word "Commission". Strike the word "board" wherever it appears in the catch words in chapter 11 and insert the word "commission".

(3) Amend sections 266, 267, 268, 269, 271, 272, 273, 276, 278, 279, 280, 282, 284, 285, 286, 287, 288, 289, 294, 295, 297, 298, 301, 302, 315 and 316 by striking the word "board" wherever it appears in such sections and inserting the word "commission".

(4) Amend section 296, line one (1), by striking the word "boards" and inserting the word "commissions".

(5) Amend section 299 by striking the word "board" as it appears in line two (2) and also as it appears as the first word in line five (5) and inserting in each case the word "commission".

(6) Amend section 300, line one (1), by striking the word "board" and inserting the word "commission".

(7) Amend sections 303 and 317 by striking the word "board" from lines one (1) and six (6) of said sections and inserting in each case the word "commission".

(8) Amend section 318 by striking the word "board" as it appears in line one (1) and inserting the word "commission"; and also by inserting between the words "board" and "with" the words "of control" in line four (4) of such section.

(9) Amend section 319 by striking the word "board" as it appears the second time in lines three (3) and eight (8) of such section and inserting in each case the word "commission".

(10) Amend section 274 by striking the word "board" as it appears in lines two (2), seven (7) and nine (9) of such section and inserting the word "commission" in each case.

On motion of Mr. Children the amendments were adopted.

Patterson of Kossuth offered the following amendment and moved its adoption:

Amend House File No. 84, section 461-a5, by striking the words "cost of labor and material plus a reasonable profit to the state" and substituting in lieu thereof the following: "a price not greater than that obtaining for similar products in the open market".

Amendment adopted.

Clark of Linn offered the following amendments and moved their adoption:

Amend House File No. 84, section 345, subsection 1, lines five (5) and six (6), by striking out the words and figures "thirty-five thousand (35,000)" and inserting in lieu thereof the words and figures "thirty thousand (30,000)"; also, amend subsection 2, line two (2), by striking out the words and figures "thirty-five thousand (35,000)" and inserting in lieu thereof the words and figures "thirty thousand (30,000)".

Amendments adopted.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend House File No. 84, section 304, by striking out the words "a state hospital" in line two (2) thereof and inserting in lieu thereof the words "any hospital in the state".

Amendment adopted.

Clark of Linn offered the following amendment to House File No. 84 and moved its adoption:

Amend by striking section three hundred seventy-five (375) and substitute in lieu thereof the following:

"Sec. 375. When considered widow.

Any mother whose husband is an inmate of any institution under the care of the board of control, shall, for the purposes of the second preceding section, be considered a widow, but only while such husband is so confined."

Amendment adopted.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend House File No. 84, section 15, by inserting between the words "or" and "in" in line three (3) thereof the words "legally vested by him".

Amendment adopted.

Lake of Woodbury moved that the bill be read a third time

now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Garber of Floyd	Long	Schirmer
Webster	Gesman	Lovrien	Schulte
Berry	Gibson	McClune	Scott of
Blake	Gilbert	Mathews	Appanoose
Blume	Gilbertson	Moen	Scott of Fremont
Bradley	Gilmore	Napier	Slemmons
Brady	Graham	Natvig	Smith of
Buffington	Grimwood	Oliver	Chickasaw
Carter	Hansen	Ontjes	Smith of Lucas
Colbert	Hauge	Orr	Stookesberry
Criswell	Healy	Parsons	Storey
Diltz	Held	Peterson	Strippel
Donhowe	Hempel	Powers	Ulstad
Doolittle	Henderson	Quirk	Venard
Dotts	Himebauch	Ramsey	Vincent
Edge	Hollis	Rankin	Wamstad
Edson	Johnson	Rewoldt	Weber
Elliott	King	Rhinehart	Williams
Fackler	Lake	Robson	Wilson
Frahm	Leonard	Rust	Wolfe
Gallagher	Letts	Sampson	Yenter
Garber of Adair	Lichty	Saunders	Mr. Speaker—85

The nays were:

Aiken	Clark	Huff	Patterson
Brittain	Dewar	Knutson	Rassler—10
Children	Dooley		

Absent or not voting:

Cole	Lieberknecht	Noble	Potts
Forsling	Matthiesen	O'Donnell	Rumley
Harrison	Miller	Olson	Stock—13
Hattendorf			

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 66

Brady of O'Brien, from the conference committee on House File No. 66, submitted the following report:

MR. SPEAKER: We, your conference committee to whom was referred House File No. 66, beg leave to report we have had the same under con-

sideration and recommend that the Senate recede from its amendments to sections 5 and 98.

A. V. BRADY,  
HEIKE A. RUST,  
G. E. HELD,  
F. C. SAMPSON,

*Conferees on part of House.*

J. O. SHAFF,  
D. W. KIMBERLY,  
O. L. MEAD,

*Conferees on part of Senate.*

Passed on file.

#### SPECIAL ORDER MADE

On request of Doolittle of Delaware, unanimous consent having been obtained, Senate File No. 186 was made a special order for Thursday, April 3d, at 10:30 a. m.

#### HOUSE FILES WITHDRAWN

On request of Gilbert of Marshall, unanimous consent having been obtained, House Files Nos. 97 and 98 were withdrawn from further consideration by the House.

#### SENATE CONCURRENT RESOLUTION NO. 17 CONSIDERED

The following Senate concurrent resolution was taken up and considered:

*Whereas*, it appears that the state has opportunity to purchase the L. C. Willets' farm of approximately 363 acres, located near the state institution at Mt. Pleasant, at a price well within its value; and,

*Whereas*, it appears that said land is very desirable for the use of said institution; now, therefore,

*Be It Resolved by the Senate the House concurring:* That a committee of four be appointed, two appointed by the President of the Senate and two by the Speaker of the House, to inspect said land and the general condition surrounding the same, to take into consideration the purchase of said land to ascertain upon what terms and conditions the land can be purchased and to report to the Senate and the House at the earliest possible date.

Hauge of Polk offered the following amendments to the concurrent resolution and moved their adoption:

Amend Senate Concurrent Resolution No. 17 as it appears in the House Journal of April 1st, by striking out the word "inspect" in the eighth line

thereof and inserting in lieu thereof the words "investigate the value of"; also, amend by striking from the ninth line thereof the word "purchase" and inserting in lieu thereof the words "need for and the desirability".

Amendments adopted.

On motion of Mr. Hauge the House concurred in the Senate concurrent resolution, as amended.

#### MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 172, a bill for an act relating to municipal corporations—public utilities.

LEON W. AINSWORTH, *Secretary*.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Blake of Fayette, House File No. 172, a bill for an act to amend, revise, and codify sections three thousand nine hundred sixty-six (3966) to three thousand nine hundred sixty-nine (3969), inclusive, three thousand nine hundred seventy-two (3972), three thousand nine hundred seventy-six (3976), and three thousand nine hundred seventy-seven (3977) of the compiled code of Iowa, relating to municipal corporations, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend section 1 by striking from lines 11 and 12 the following: "with a population of less than ten thousand (10,000)".

Amend section 2 by striking from line 3 the comma following the word "purposes" and the words "and shall have power to sell", and inserting in lieu thereof the words "for the purpose of selling".

Amend section 2 by inserting in line 5 following the word "and" where it first appears in said line, the words "shall have power".

Amend by striking out all of section 3 and inserting in lieu thereof the following:

"Sec. 3. Election required.

No such works or plants shall be authorized, established, erected, purchased, leased, or sold, or franchise granted, extended, renewed, or amended, or contract of purchase provided for in section 2 hereof shall

be entered into unless a majority of the legal electors voting thereon vote in favor of the same."

Mr. Blake moved that the House refuse to concur in the Senate amendment to section 1.

On the question "Shall the House concur?"

The ayes were:

Forsling                      Lake—2

The nays were:

Aiken	Frahm	Letts	Rust
Anderson of	Gallagher	Lichty	Sampson
Webster	Garber of Adair	Lovrien	Saunders
Berry	Gesman	McClune	Schirmer
Blake	Gibson	Mathews	Schulte
Blume	Gilbertson	Napier	Scott of Fremont
Bradley	Gilmore	Natvig	Slemmons
Brady	Graham	Noble	Smith of
Brittain	Grimwood	Oliver	Chickasaw
Buffington	Hansen	Ontjes	Smith of Lucas
Children	Hauge	Orr	Stookesberry
Clark	Healy	Parsons	Strippel
Colbert	Hempel	Peterson	Ulstad
Criswell	Henderson	Powers	Venard
Dewar	Himebauch	Quirk	Wamstad
Donhowe	Hollis	Ramsey	Weber
Dooley	Huff	Rankin	Williams
Dotts	Johnson	Rewoldt	Wolfe
Edge	King	Rhinehart	Yenter
Elliott	Knutson	Robson	Mr. Speaker—80
Fackler	Leonard		

Absent or not voting:

Carter	Harrison	Moen	Scott of
Cole	Hattendorf	O'Donnell	Appanoose
Diltz	Held	Olson	Stock
Doolittle	Lieberknecht	Patterson	Storey
Edson	Long	Potts	Vincent
Garber of Floyd	Matthiesen	Rassler	Wilson—26
Gilbert	Miller	Rumley	

The House refused to concur in the Senate amendment to section 1 of House File No. 172.

Mr. Blake moved that the House concur in the Senate amendments to sections 2 and 3.

On the question "Shall the House concur?"

The ayes were:

Anderson of	Blume	Clark	Dooley
Webster	Brady	Criswell	Dotts
Berry	Brittain	Dewar	Edge
Blake	Buffington	Donhowe	Fackler

Frahm	Hollis	Peterson	Slemmons
Gallagher	Johnson	Powers	Smith of
Gesman	King	Quirk	Chickasaw
Gibson	Lake	Rankin	Smith of Lucas
Gilbertson	Leonard	Rewoldt	Stokesberry
Gilmore	Letts	Rhinehart	Strippel
Graham	Lichty	Robson	Venard
Grimwood	Lovrien	Sampson	Wamstad
Hansen	McClune	Saunders	Weber
Hauge	Mathews	Schirmer	Williams
Healy	Napier	Schulte	Yenter
Hempel	Natvig	Scott of Fremont	Mr. Speaker—64
Henderson	Parsons		

The nays were:

Alken	Huff	Ontjes	Ulstad
Children	Knutson	Ramsey	Wolfe—8

Absent or not voting:

Bradley	Garber of Floyd	Moen	Rumley
Carter	Gilbert	Noble	Rust
Colbert	Harrison	O'Donnell	Scott of
Cole	Hattendorf	Oliver	Appanoose
Diltz	Held	Olson	Stock
Doolittle	Himebauch	Orr	Storey
Edson	Lieberknecht	Patterson	Vincent
Elliott	Long	Potts	Wilson—36
Forsling	Matthiesen	Rassler	
Garber of Adair	Miller		

The House concurred in the Senate amendments to sections 2 and 3 of House File No. 172.

#### INTRODUCTION OF BILL

House File No. 314, by committee on code revision, a bill for an act to provide for the preparation and printing of the session laws of the extra session of the Fortieth General Assembly by the state printing board and making the necessary appropriation available therefor.

Read first and second times and passed on file.

On motion of Children of Pottawattamie the House adjourned until 10:00 a. m. Thursday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 3, 1924.

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

Prayer was offered by the Rev. M. F. Foust, pastor of the Union Congregational church, Des Moines.

Journal of April 2d corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Gallagher of Iowa and O'Donnell of Dubuque for the day, on request of Weber of Dubuque; Cole of Harrison for the day, on request of Smith of Chickasaw; Lieberknecht of Louisa for the day, on request of Wilson of Tama; Stock of Allamakee for the day, on request of Strippel of Benton; Letts of Washington for the remainder of the week, on request of Brady of O'Brien; Johnson of Dickinson for the day, on request of McClune of Mahaska.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on April 1st, approved the following bills: House Files Nos. 77, 196, 57, 200, 266, 100 and 261-A.

## REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 307, a bill for an act to legalize the transfer of money from the general fund to the schoolhouse fund of the consolidated independent school district of Laurens, Pocahontas 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 be amended as follows, and when so amended the bill do pass:

Amend by adding as section 2 the following:

"Sec. 2. Nothing in this act shall affect pending litigation."

Amend by renumbering section 2 as section 3.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 312, a bill for an act to authorize the issuance of a patent to certain lands in Winnebago county, Iowa, to William E. Cox, beg leave to report they have had 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. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 311, a bill for an act to legalize the acts and proceedings of the board of supervisors of Winnebago county, Iowa, in relation to the transfer of certain 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 do pass.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 308, a bill for an act to legalize the acts and proceedings of the board of supervisors and other officers of the county of Wapello, in the state of Iowa, in relation to Cedar Creek drainage district number four, Wapello 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.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 298, a bill for an act to legalize an expenditure of eleven hundred dollars (\$1100.00) and the issuance of warrant or warrants to fund said expenditure, for the town of Clayton, 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.

C. F. CLARK, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 307, a bill for an act to legalize the consolidation of the

Keokuk & Hamilton Mississippi River Bridge Company with the Hancock County Bridge Company and the amendment and renewal of the articles of consolidation of the consolidated company for a term of fifty (50) years, beginning August first, nineteen hundred eighteen, (1918), beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

(1) Amend by inserting as sections three (3) and four (4) the following:

"Sec. 3. This act shall not take effect until the consolidated company known as the Keokuk & Hamilton Bridge Company shall have filed with the secretary of state its renewal articles of incorporation together with a certificate of the adoption thereof and shall have paid to the secretary of state a renewal fee equal to the renewal, filing and recording fees as is provided by law for the renewal of incorporations of like kind and character.

Sec. 4. Upon the payment of the renewal, filing and recording fees as provided herein, the secretary of state shall issue a certificate of renewal as is provided by law."

(2) Renumber sections three (3) and four (4) as sections five (5) and six (6).

C. F. CLARK, *Chairman.*

Report adopted. .

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 25, 119, 290, 19 and 93.

House Files Nos. 42 and 296.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 42 and 296; Senate Files Nos. 25, 119 and 290.

#### REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 158

O'Donnell of Dubuque, from the conference committee on House File No. 158, submitted the following report:

MR. SPEAKER: Your conference committee appointed to adjust the differences between the House and the Senate on House File No. 158, relating to municipal corporations, beg to submit the following report:

(1) Amend Senate amendment to section seven (7) by striking therefrom all following the word "halls" in line five (5).

(2) Amend Senate amendment to section twenty-three (23) by striking the following language therefrom: "by inserting in line one after the word 'publish' the words 'in pamphlet form or' and".

(3) That the House concur in all other Senate amendments to the bill and in the above amendments as amended.

Respectfully submitted,

T. J. O'DONNELL,  
FRANK W. ELLIOTT,  
W. F. SCHIRMER,  
E. P. HARRISON,

*Conferees on part of House.*

C. J. FULTON,  
FRANK SHANE,  
J. E. WICHMAN,  
J. O. SHAFF,

*Conferees on part of Senate.*

Passed on file.

#### CONFERENCE COMMITTEE REPORT CONSIDERED

The report of the conference committee on House File No. 66, found in the House Journal of April 2d, was taken up and considered.

Brady of O'Brien moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of	Children	Fackler	Hauge
Webster	Clark	Forsling	Healy
Blake	Colbert	Garber of Floyd	Hempel
Blume	Donhowe	Gesman	Henderson
Bradley	Doolittle	Gibson	Himebauch
Brady	Dotts	Gilbert	Hollis
Brittain	Edge	Graham	Johnson
Buffington	Edson	Grimwood	King
Carter	Elliott	Harrison	Knutson

Lake	Patterson	Sampson	Strippel
Leonard	Peterson	Saunders	Venard
Lichty	Powers	Schirmer	Vincent
Lovrien	Quirk	Schulte	Wamstad
McClune	Rassler	Scott of Fremont	Weber
Moen	Rhinehart	Smith of	Wilson
Natvig	Robson	Chickasaw	Wolfe
Oliver	Rumley	Storey	Mr. Speaker—67
Ontjes			

The nays were:

Aiken	Long	Scott of	Smith of Lucas
Berry	Parsons	Appanoose	Stookesberry—8
Dooley			

Absent or not voting:

Cole	Hansen	Miller	Rankin
Criswell	Hattendorf	Napier	Rewoldt
Dewar	Held	Noble	Rust
Diltz	Huff	O'Donnell	Slemmons
Frahm	Letts	Olson	Stock
Gallagher	Lieberknecht	Orr	Ulstad
Garber of Adair	Mathews	Potts	Williams
Gilbertson	Matthiesen	Ramsey	Yenter—33
Gilmore			

The report of the conference committee on House File No. 66 and the amendments proposed by said conference committee were adopted.

#### INTRODUCTION OF BILL

Unanimous consent having been obtained to suspend the rule prohibiting the introduction of bills at this time, the following bill was introduced:

House File No. 315, by Hauge of Polk, a bill for an act to authorize the executive council to sell certain property of the state and buy other property.

Read first and second times and referred to committee on public lands and buildings.

#### 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. 183, a bill for an act relating to taxation, and to provide an additional millage tax upon certain property.

Also, that the Senate insists on its amendments to House File No. 65, relating to the department of agriculture and forest and fruit-tree reservations and requests a conference committee. The President has appointed as members of such committee on the part of the Senate, Senators Slosson, Holdoegel, Mead and Hartman.

Also, that the Senate has insisted on its amendments to House File No. 134, a bill for an act relating to county attorneys and requests a conference committee. The President has appointed as such conference committee on the part of the Senate, Senators Mantz, Price, Bowman and Caldwell.

Also, that the Senate has insisted on its amendments to House File No. 34, a bill for an act relating to removal from office and requests a conference committee. The President has appointed as such conference committee on the part of the Senate, Senators Scott, Brookhart, Perkins and Horchem.

Also, that the Senate has concurred in the House amendments to Senate File No. 283, a bill for an act relating to the sale and transportation of intoxicating liquors under permits.

Also, that the Senate has concurred in the House amendment to Senate File No. 101, a bill for an act relating to education.

Also, that the Senate has concurred in the House amendment to Senate File No. 45, a bill for an act relating to fire escapes and means of escape from fire.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 8, a bill for an act relating to certain duties of the auditor of state.

LEON W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 8

(1) Amend section 5 by striking from line 1 the words "such number of" and inserting in lieu thereof the following: "not less than four (4) nor more than eight (8)".

(2) Amend by adding as an additional paragraph to Sec. 11 the following:

"If said examination discloses any irregularity in the collection or disbursement of public funds or in the abatement of taxes a copy of said report shall be filed with the county attorney and it shall be his duty to cooperate with the state auditor, and, in proper cases, with the attorney general, to secure the correction of the irregularity."

#### SENATE MESSAGE CONSIDERED

Senate File No. 133, a bill for an act to amend, revise, and codify sections four thousand four hundred eighty-three (4483) to four thousand four hundred eighty-seven (4487), inclusive, four thousand five hundred eight (4508), four thousand five hun-

dred nine (4509), four thousand five hundred ten (4510), four thousand five hundred eleven (4511), four thousand five hundred thirteen (4513), four thousand five hundred sixty-seven (4567), four thousand six hundred seventeen (4617), four thousand six hundred nineteen (4619), four thousand six hundred twenty (4620), and four thousand six hundred ninety-three (4693) of the compiled code of Iowa, and sections four thousand four hundred eighty-two (4482), four thousand four hundred ninety-three (4493), four thousand four hundred ninety-nine (4499), four thousand four hundred ninety-nine-a one (4499-a1), four thousand five hundred (4500), and four thousand six hundred nine (4609) of the supplement to said code, relating to taxation, and to provide an additional millage tax upon certain property.

Read first and second times.

Vincent of Guthrie moved that Senate File No. 183 be referred to the committee on ways and means, to be returned to the House and made a special order for Wednesday, April 9th, at 10:00 a. m.

Himebauch of Emmet moved as a substitute motion that Senate File No. 183 be considered by the committee of the whole House this afternoon, and that the bill be made a special order for Friday, April 4th, at 10:00 a. m.

A division of the motion by Himebauch of Emmet was asked for.

Mr. Himebauch asked unanimous consent to withdraw the first part of his motion.

Objection was made by McClune of Mahaska.

Mr. Himebauch moved that the first part of his motion be withdrawn.

Motion lost.

On the question "Shall Senate File No. 183 be considered by the committee of the whole House this afternoon?" a roll call was demanded.

The ayes were:

Garber of Floyd Himebauch

Mathews—3

## The nays were:

Aiken	Gibson	Natvig	Scott of
Berry	Gilbert	Noble	Appanoose
Blake	Gilbertson	Oliver	Scott of Fremont
Blume	Grimwood	Ontjes	Slemmons
Bradley	Hansen	Orr	Smith of
Brittain	Hauge	Parsons	Chickasaw
Buffington	Healy	Patterson	Smith of Lucas
Children	Hempel	Peterson	Stookesberry
Clark	Henderson	Powers	Storey
Colbert	Hollis	Ramsey	Strippel
Criswell	Huff	Rassler	Ulstad
Donhowe	Johnson	Rewoldt	Venard
Dooley	Knutson	Rhinehart	Vincent
Doolittle	Lake	Robson	Wamstad
Dotts	Leonard	Rumley	Weber
Edge	Lichty	Saunders	Wilson
Edson	Long	Schirmer	Wolfe
Elliott	McClune	Schulte	Yenter
Garber of Adair	Moen		Mr. Speaker—73

## Absent or not voting:

Anderson of	Frähm	King	Olson
Webster	Gallagher	Letts	Potts
Brady	Gesman	Lieberknecht	Quirk
Carter	Gilmore	Lovrien	Rankin
Cole	Graham	Matthiesen	Rust
Dewar	Harrison	Miller	Sampson
Diltz	Hattendorf	Napier	Stock
Fackler	Held	O'Donnell	Williams—32
Forsling			

The motion to consider Senate File No. 183 in committee of the whole House was lost.

On the question "Shall Senate File No. 183 be made a special order for Friday, April 4th, at 10:00 a. m.?" a roll call was demanded.

## The ayes were:

Dooley	King	Mathews	Rassler
Frahm	Knutson	Quirk	Rumley—10
Himebauch	Long		

## The nays were:

Anderson of	Criswell	Gibson	Johnson
Webster	Diltz	Gilbert	Lake
Berry	Donhowe	Gilbertson	Leonard
Blake	Doolittle	Grimwood	Lichty
Blume	Dotts	Harrison	Moen
Bradley	Edge	Hauge	Natvig
Brittain	Edson	Healy	Oliver
Buffington	Elliott	Hempel	Ontjes
Children	Fackler	Henderson	Orr
Clark	Garber of Adair	Hollis	Parsons
Colbert	Gesman	Huff	Patterson

Powers	Schulte	Smith of Lucas	Weber
Ramsey	Scott of	Stookesberry	Wilson
Rewoldt	Appanoose	Storey	Wolfe
Rhinehart	Scott of Fremont	Strippel	Yenter
Robson	Slemmons	Ulstad	Mr. Speaker—67
Saunders	Smith of	Venard	
Schirmer	Chickasaw	Vincent	

## Absent or not voting:

Aiken	Gilmore	McClune	Potts
Brady	Graham	Matthiesen	Rankin
Carter	Hansen	Miller	Rust
Cole	Hattendorf	Napier	Sampson
Dewar	Held	Noble	Stock
Forsling	Letts	O'Donnell	Wamstad
Gallagher	Lieberknecht	Olson	Williams—31
Garber of Floyd	Lovrien	Peterson	

The motion to make Senate File No. 183 a special order for Friday, April 4th, was lost.

The motion by Vincent of Guthrie prevailed and Senate File No. 183 was referred to the committee on ways and means, to be returned to the House and made a special order for Wednesday, April 9th, at 10:00 a. m.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House File No. 54.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 54.

## INTRODUCTION OF JOINT RESOLUTION

House Joint Resolution No. 4, by committee on board of control, joint resolution authorizing the board of control of state institutions to enter into contracts for the employment of prisoners.

*Whereas*, It is contemplated that a statute should be enacted by the Fortieth General Assembly whereby the board of control shall be authorized to enter into state contracts for the employment of prisoners for persons, firms or corporations on state premises where the work and prisoners employed thereon are under the supervision, direction and control

of the board of control and the warden with the exception that such contracts shall not extend beyond the first day of July, 1927; now, therefore,

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

Section 1. The board of control of state institutions is authorized to enter into contracts with persons, firms or corporations for the employment of prisoners on state premises where the work and prisoners employed thereon are under the supervision, direction and control of the board of control and the warden, providing always that such contracts shall not extend beyond July 1, 1927.

Sec. 2. The board of control is authorized to fix the rate of pay or compensation to be received by the state from such persons, firms or corporations as the case may be.

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

Read first and second times and passed on file.

#### CONSIDERATION OF BILLS

##### SPECIAL ORDER NO. 1

Substitute for Senate File No. 186, a bill for an act to amend, revise, and codify chapters three (3) and four (4) of title fifteen (15) of the compiled code of Iowa, relating to mill dams, races and water power improvements, was taken up for consideration.

Criswell of Boone offered the following amendment and moved its adoption:

Amend Substitute for Senate File No. 186, section 5, line 5, by inserting after the word "of" the words "not less than".

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Aiken	Frahm	Leonard	Quirk
Anderson of	Gesman	Mathews	Rassler
Webster	Gibson	Moen	Rewoldt
Berry	Gilbert	Napier	Robson
Blume	Gilbertson	Natvig	Rumley
Brady	Graham	Noble	Scott of Fremont
Children	Harrison	Oliver	Smith of Lucas
Criswell	Held	Olson	Stokesberry
Dooley	Hempel	Ontjes	Weber
Dotts	Huff	Orr	Mr. Speaker—42
Fackler	King	Parsons	

The nays were:

Blake	Buffington	Colbert	Doolittle
Bradley	Carter	Diltz	Edge
Brittain	Clark	Donhowe	Edson

Elliott	Hollis	Rankin	Strippel
Garber of Adair	Knutson	Rhinehart	Ulstad
Garber of Floyd	Lichty	Sampson	Venard
Gilmore	Long	Saunders	Vincent
Grimwood	Lovrien	Schirmer	Wamstad
Hansen	McClune	Schulte	Williams
Hauge	Patterson	Scott of	Wilson
Healy	Peterson	Appanoose	Wolfe
Henderson	Powers	Stemmons	Yenter—50
Himebauch	Ramsey	Storey	

## Absent or not voting:

Cole	Johnson	Matthiesen	Rust
Dewar	Lake	Miller	Smith of
Forsling	Letts	O'Donnell	Chickasaw
Gallagher	Lieberknecht	Potts	Stock—16
Hattendorf			

Amendment by Criswell of Boone was rejected.

Edson of Buena Vista offered the following amendments and moved their adoption:

(1) Amend Substitute for Senate File No. 186 by striking the letter "s" at the end of the word "chapters" in line one (1) of the title and by striking from line one (1) of the title the words and figure "and four (4)".

(2) Amend by striking the letter "s" at the end of the word "chapters" in line one (1) following the enacting clause, and by striking from said line the words and figure "and four (4)".

(3) Amend by inserting after the word "data" in line five (5) of section 21 the following: "and payment of fees".

(4) Amend by adding at the end of section 20 the following: "upon payment of the required fees".

## Amendments adopted.

By unanimous consent the amendment filed by Saunders of Palo Alto on April 1st was withdrawn.

Rassler of Pocahontas moved that the House adjourn until 1:30 p. m. today.

## AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Rust of Franklin for the remainder of the week, on request of Grimwood of Jones.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this third day of April, 1924, sent to the Governor for his approval:

House Files Nos. 42, 296 and 54.

C. F. LETTS, *Chairman.*

Report 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 insists on its amendments to House amendments to Senate File No. 7, a bill for an act relating to the duties of the governor, and requests a conference committee. The President has appointed as members of such committee on the part of the Senate, Senators Smith, Banta, Scott, and Shaff.

LEON W. AINSWORTH, *Secretary.*

## APPOINTMENT OF CONFERENCE COMMITTEES

As a conference committee on House File No. 34, the Speaker appointed the following members on the part of the House: Ulstad of Wright, Smith of Chickasaw, Blake of Fayette and Long of Jefferson.

As a conference committee on House File No. 65, the Speaker appointed the following members on the part of the House: Children of Pottawattamie, Wamstad of Mitchell, Mathews of Des Moines and Napier of Ringgold.

As a conference committee on House File No. 134, the Speaker appointed the following members on the part of the House: Vincent of Guthrie, Diltz of Polk, Himebauch of Emmet and Lovrien of Humboldt.

## APPOINTMENT OF SPECIAL COMMITTEE

As a committee to act in accordance with the provisions of Senate Concurrent Resolution No. 17, the Speaker appointed the following members on the part of the House: Letts of Washington and Hansen of Scott.

## BUSINESS PENDING

The House resumed consideration of Substitute for Senate File No. 186.

Diltz of Polk offered the following amendments and moved their adoption:

Amend Substitute for Senate File No. 186 as follows:

Amend section 5 by inserting in line 5 following the word "inspection" the words "and license".

Also amend line 8 by inserting after the word "inspection" the words "and license".

Also amend by striking from line 9 the words "permit fees and inspection".

Criswell of Boone offered the following amendment as a substitute for the amendments offered by Diltz of Polk:

Amend Substitute for Senate File No. 186 by striking out all after the period in line nine (9) thereof and inserting in lieu thereof the following:

In addition to the permit and inspection fees herein provided, such person, firm or corporation shall pay to the executive council such sum per annum as said council may deem just and reasonable as compensation for the enjoyment of the rights and privileges granted in this chapter. All sums received under this section shall be covered by the executive council into the general fund of the state treasury.

Mr. Criswell moved that the amendment offered by him be substituted for the amendments offered by Diltz of Polk.

Motion lost.

The amendments offered by Diltz of Polk were adopted.

Doolittle of Delaware offered the following amendment and moved its adoption:

Amend Substitute for Senate File No. 186, section 4, by striking out the words "state board" in line 3 thereof and inserting in lieu thereof the word "department"; also amend by striking out the words "state board" in line 6 thereof and inserting in lieu thereof the word "department".

Amendment adopted.

Rassler of Pocahontas offered the following amendment and moved its adoption:

Amend Substitute for Senate File No. 186, section 7, line 8, by inserting after the word "inspection", appearing twice in said line, the words "and license".

Amendment adopted.

Doolittle of Delaware moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Gesman	McClune	Schulte
Blake	Gibson	Mathews	Scott of Appanoose
Blume	Gilbertson	Napier	Scott of Fremont
Bradley	Gilmore	Natvig	Slemmons
Brady	Graham	Oliver	Smith of Chickasaw
Buffington	Grimwood	Olson	Smith of Lucas
Carter	Harrison	Ontjes	Storey
Children	Hauge	Orr	Strippel
Clark	Healy	Parsons	Ulstad
Colbert	Hempel	Patterson	Venard
Doolittle	Henderson	Peterson	Vincent
Dotts	Himebauch	Quirk	Weber
Edge	Hollis	Ramsey	Williams
Edson	King	Rankin	Wilson
Elliott	Knutson	Rewoldt	Wolfe
Fackler	Lake	Rhinehart	Yenter
Forsling	Leonard	Robson	Mr. Speaker—76
Garber of Adair	Lichty	Sampson	
Garber of Floyd	Long	Saunders	
	Lovrien	Schirmer	

The nays were:

Aiken	Dooley	Huff	Noble
Criswell	Frahm	Moen	Stookesberry—10
Donhowe	Held		

Absent or not voting:

Berry	Gilbert	Matthiesen	Rassler
Brittain	Hansen	Miller	Rumley
Cole	Hattendorf	O'Donnell	Rust
Dewar	Johnson	Potts	Stock
Diltz	Letts	Powers	Wamstad—22
Gallagher	Lieberknecht		

So the bill having received a constitutional majority, was declared to have passed the House and the title, as amended, was agreed to.

#### REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 110

Children of Pottawattamie, from the conference committee on House File No. 110, submitted the following report:

MR. SPEAKER: Your conference committee to whom was referred the disagreement between the Senate and House on House File No. 110, relating to education, beg leave to report that they have had the same under consideration and beg leave to submit the following:

That the House concur in Senate amendment to subsection one (1) of section one (1).

That subsection two (2) of section one (1) be rewritten as follows:

"2. In school corporations having a school enumeration of ten thousand (10,000) or more, seventy dollars (\$70.00)."

That subsection three (3) of section one (1) be rewritten as follows:

"3. In all other school corporations, eighty dollars (\$80.00); provided that corporations not maintaining an approved high school and which have tuition pupils attending high school in other districts may levy such an additional amount above the said eighty dollars (\$80.00) as will be necessary to pay the cost of tuition for such pupils."

W. C. CHILDREN,

W. C. EDSON,

L. V. CARTER,

T. W. NAPIER,

*Conferees on part of House.*

BYRON W. NEWBERRY,

F. C. GILCHRIST,

H. J. MANTZ,

W. A. CALDWELL,

*Conferees on part of Senate.*

Passed on file.

#### AMENDMENTS FILED

Himebauch of Emmet filed the following amendments to Senate File No. 121:

(1) Amend Senate File No. 121, section 51, line 3, by striking the word "paving".

(2) Amend section 54 by striking out the words "and be governed by" in line 2.

(3) Amend section 56 by striking out the words "which are in conflict with the federal aid law" in lines 4 and 5.

(4) Amend section 57 by striking out all of paragraph "a" of subsection 1.

(5) Amend section 61 by striking out the words "both county and" in line 2.

(6) Amend section 62 by inserting after the word "levy" in line 1 the words "not to exceed six mills". Also amend by striking out the words "or both" in line 5.

On motion of Long of Jefferson the House adjourned until 10:00 a. m. Friday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 4, 1924.

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

Prayer was offered by the Rev. Oscar G. Larson, pastor of the Evangelical Covenant church, Des Moines.

Journal of April 3d corrected and approved.

## PETITIONS

Schirmer of Jackson presented a petition from the chamber of commerce, Maquoketa, and business men of Jackson county, urging immediate action for the improvement of highways and urging the passage of a gasoline tax bill. Referred to committee on ways and means.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: O'Donnell of Dubuque for the remainder of the week, on request of Weber of Dubuque; Johnson of Dickinson for the remainder of the week, on request of Oliver of Monona; Miller of Shelby for the remainder of the week, on request of Criswell of Boone; Bradley of Poweshiek for the remainder of the week, on request of Donhowe of Story; Stock of Allamakee for the day, on request of Strippel of Benton; Dotts of Wayne for the remainder of the week, on request of Edson of Buena Vista; Brady of O'Brien for the remainder of the week, on request of Fackler of Adams; Buffington of Mills for the remainder of the week, on request of Peterson of Henry; Lovrien of Humboldt for the remainder of the week, on request of Rassler of Pocahontas; Wamstad of Mitchell for the remainder of the week, on request of Patterson of Kossuth; Slemmons of Buchanan until Tuesday, on request of Criswell of Boone.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that, he had on April 3d, approved the following bills: House Files Nos. 296, 54 and 42.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Slemmons of Buchanan, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 45, 101 and 123.

GEO. F. SLEMMONS, *Acting Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 19 and 93.

## REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 213

Powers of Page, from the conference committee on House File No. 213, submitted the following report:

MR. SPEAKER: Your conference committee appointed for the consideration of the differences between the Senate and House on House File No. 213, a bill relating to marriages and incest, beg leave to report that we have had these differences under consideration and have been unable to agree on any compromise on the differences existing between the Senate and House on said bill.

T. E. POWERS,

T. E. MOEN,

FRANK W. ELLIOTT.

C. F. CLARK,

*Conferees on part of House.*

F. C. GILCHRIST,

CARL W. REED,

J. K. HALE,

W. S. BAIRD,

*Conferees on part of Senate.*

The report was accepted and the committee discharged.

## CONFERENCE COMMITTEE REPORT CONSIDERED

The report of the conference committee on House File No. 110, found in the Journal of April 3d, was taken up and considered.

Children of Pottawattamie moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Alken	Gesman	McClune	Scott
Anderson	Gilbertson	Mathews	of Appanoose
of Webster	Graham	Moen	Scott of Fremont
Blake	Grimwood	Napier	Smith
Brittain	Hansen	Natvig	of Chickasaw
Carter	Harrison	Oliver	Smith of Lucas
Children	Hattendorf	Ontjes	Stookesberry
Clark	Healy	Orr	Storey
Colbert	Held	Patterson	Strippel
Cole	Henderson	Peterson	Venard
Dooley	Himebauch	Powers	Vincent
Doolittle	Hollis	Ramsey	Weber
Edge	Huff	Rewoldt	Williams
Edson	King	Rumley	Wilson
Fackler	Knutson	Saunders	Wolfe
Frahm	Leonard	Schirmer	Yenter
Gallagher	Lichty	Schulte	Mr. Speaker—67
Garber of Floyd	Long		

The nays were:

Parsons                      Rassler—2

Absent or not voting:

Berry	Elliott	Letts	Rankin
Blume	Forsling	Lieberknecht	Rhinehart
Bradley	Garber of Adair	Lovrien	Robson
Brady	Gibson	Mattiesen	Rust
Buffington	Gilbert	Miller	Sampson
Criswell	Gilmore	Noble	Slemmons
Dewar	Hauge	O'Donnell	Stock
Diltz	Hempel	Olson	Ulstad
Donhowe	Johnson	Potts	Wamstad—39
Dotts	Lake	Quirk	

The report of the conference committee on House File No. 110 and the amendments proposed by said conference committee were adopted.

#### CONSIDERATION OF BILLS

House File No. 314, a bill for an act to provide for the preparation and printing of the session laws of the extra session of the Fortieth General Assembly by the state printing board and making the necessary appropriation available therefor, was taken up for consideration.

Clark of Linn offered the following amendment and moved its adoption:

Amend House File No. 314, section 1, line 12, by striking therefrom the words "Said printing board" and inserting in lieu thereof the words "The secretary of state".

Amendment adopted.

Mr. Clark moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gesman	Long	Saunders
Webster	Gibson	McClune	Schirmer
Blake	Gilbert	Mathews	Schulte
Blume	Gilbertson	Moen	Scott of
Brittain	Gilmore	Napier	Appanoose
Carter	Graham	Natvig	Scott of Fremont
Children	Grimwood	Noble	Smith of
Clark	Hansen	Oliver	Chickasaw
Colbert	Harrison	Ontjes	Smith of Lucas
Cole	Hattendorf	Orr	Stookesberry
Criswell	Healy	Parsons	Storey
Diltz	Held	Patterson	Strippel
Donhowe	Henderson	Peterson	Ulstad
Dooley	Himebauch	Powers	Venard
Doolittle	Hollis	Quirk	Vincent
Edge	Huff	Ramsey	Weber
Edson	King	Rassler	Williams
Fackler	Knutson	Rewoldt	Wilson
Frahm	Lake	Robson	Wolfe
Gallagher	Leonard	Rumley	Yenter
Garber of Adair	Lichty	Sampson	Mr. Speaker—83
Garber of Floyd	Lieberknecht		

The nays were, none.

Absent or not voting:

Aiken	Elliott	Lovrien	Rankin
Berry	Forsling	Matthiesen	Rhinehart
Bradley	Hauge	Miller	Rust
Brady	Hempel	O'Donnell	Stemmons
Buffington	Johnson	Olson	Stock
Dewar	Letts	Potts	Wamstad—25
Dotts			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 308, a bill for an act to legalize the acts and proceedings of the board of supervisors and other officers of the county of Wapello, in the state of Iowa, in relation to Cedar Creek drainage district number four, Wapello county, Iowa, with report of committee recommending passage, was taken up for consideration.

Graham of Wapello moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson	Gesman	Long	Schirmer
of Webster	Gilbert	McClune	Schulte
Blume	Gilbertson	Mathews	Scott
Brittain	Gilmore	Napier	of Appanoose
Children	Graham	Natvig	Scott of Fremont
Colbert	Grimwood	Noble	Smith
Cole	Hansen	Oliver	of Chickasaw
Criswell	Harrison	Ontjes	Smith of Lucas
Diltz	Hattendorf	Parsons	Stookesberry
Donhowe	Healy	Patterson	Storey
Dooley	Held	Peterson	Strippel
Doolittle	Henderson	Powers	Ulstad
Edge	Himebauch	Quirk	Venard
Edson	Hollis	Ramsey	Vincent
Fackler	Huff	Rassler	Weber
Forsling	King	Rewoldt	Wilson
Gallagher	Knutson	Rumley	Wolfe
Garber of Adair	Leonard	Sampson	Yenter
Garber of Floyd	Lichty	Saunders	Mr. Speaker—73

The nays were, none.

Absent or not voting:

Aiken	Dotts	Lieberknecht	Rankin
Berry	Elliott	Lovrien	Rhinehart
Blake	Frahm	Mattiesen	Robson
Bradley	Gibson	Miller	Rust
Brady	Hauge	Moen	Slemmons
Buffington	Hempel	O'Donnell	Stock
Carter	Johnson	Olson	Wamstad
Clark	Lake	Orr	Williams—35
Dewar	Letts	Potts	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 311, a bill for an act to legalize the acts and proceedings of the board of supervisors of Winnebago county, Iowa, in relation to the transfer of certain funds, with report of committee recommending passage, was taken up for consideration.

Vincent of Guthrie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Garber of Adair	Mathews	Schulte
Webster	Garber of Floyd	Napier	Scott of
Blake	Gibson	Natvig	Appanoose
Blume	Gilbertson	Noble	Scott of Fremont
Brittain	Grimwood	Oliver	Smith of
Carter	Harrison	Ontjes	Chickasaw
Children	Hattendorf	Parsons	Smith of Lucas
Clark	Healy	Patterson	Stookesberry
Colbert	Held	Peterson	Storey
Cole	Henderson	Powers	Strippel
Criswell	Himebauch	Quirk	Ulstad
Diltz	Hollis	Ramsey	Venard
Donhowe	Huff	Rassler	Vincent
Dooley	King	Rewoldt	Weber
Doolittle	Knutson	Robson	Williams
Edson	Leonard	Rumley	Wilson
Fackler	Lichty	Sampson	Wolfe
Forsling	Lieberknecht	Saunders	Yenter
Gallagher	Long	Schimmer	Mr. Speaker—73

The nays were, none.

Absent or not voting:

Aiken	Frahm	Lake	Orr
Berry	Gesman	Letts	Potts
Bradley	Gilbert	Lovrien	Rankin
Brady	Gilmore	McClune	Rhinehart
Buffington	Graham	Matthlesen	Rust
Dewar	Hansen	Miller	Slemmons
Dotts	Hauge	Moen	Stock
Edge	Hempel	O'Donnell	Wamstad—35
Elliott	Johnson	Olson	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 312, a bill for an act to authorize the issuance of a patent to certain lands in Winnebago county, Iowa, to William E. Cox, with report of committee recommending passage, was taken up for consideration.

The bill was read for information.

Clark of Linn moved that the reading just had be considered the third reading and that the bill be placed upon its passage.

Doolittle of Delaware in the chair.

Motion by Clark of Linn prevailed.

On the question "Shall the bill pass?"

The ayes were:

Alken	Gallagher	Leonard	Sampson
Anderson	Garber of Adair	Lichty	Saunders
of Winnebago	Garber of Floyd	Lieberknecht	Schirmer
Berry	Gesman	Long	Schulte
Blake	Gibson	McClune	Scott
Blume	Gilbert	Mathews	of Appanoose
Brittain	Gilbertson	Moen	Scott of Fremont
Carter	Gilmore	Napier	Smith
Children	Graham	Natvig	of Chickasaw
Clark	Grimwood	Noble	Smith of Lucas
Colbert	Hansen	Oliver	Stokesberry
Cole	Harrison	Ontjes	Storey
Criswell	Hattendorf	Orr	Strippel
Diltz	Healy	Parsons	Ulstad
Donhowe	Held	Patterson	Venard
Dooley	Henderson	Peterson	Vincent
Doolittle	Himebauch	Powers	Weber
Edge	Hollis	Quirk	Williams
Edson	Huff	Ramsey	Wilson
Fackler	King	Rassler	Wolfe
Forsling	Knutson	Robson	Yenter—84
Frahn	Lake	Rumley	

The nays were, none.

Absent or not voting:

Anderson	Elliott	Mattiesen	Rewoldt
of Webster	Hauge	Miller	Rhinehart
Bradley	Hempel	O'Donnell	Rust
Brady	Johnson	Olson	Slemmons
Buffington	Letts	Potts	Stock
Dewar	Lovrien	Rankin	Wamstad—24
Dotts			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 307, a bill for an act to legalize the transfer of money from the general fund to the schoolhouse fund of the consolidated independent school district of Laurens, Pocahontas county, Iowa, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Rassler of Pocahontas the amendments proposed by the committee, found in the Journal of April 3d, were adopted.

Mr. Rassler moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gibson	Moen	Schirmer
Anderson of Winnebago	Gilbertson	Napier	Schulte
Blake	Graham	Natvig	Scott of Appanoose
Blume	Grimwood	Noble	Scott of Fremont
Brittain	Harrison	Olver	Smith of Chickasaw
Carter	Hattendorf	Ontjes	Smith of Lucas
Children	Healy	Orr	Stookesberry
Clark	Held	Parsons	Storey
Colbert	Henderson	Patterson	Strippel
Colbert	Himebauch	Peterson	Ustad
Cole	Hollis	Powers	Venard
Criswell	Huff	Quirk	Vincent
Donhowe	Knutson	Ramsey	Weber
Dooley	Lake	Rassler	Williams
Doolittle	Leonard	Rewoldt	Wilson
Edson	Lichty	Robson	Wolfe
Fackler	Lieberknecht	Rumley	Yenter—75
Frahm	Long	Sampson	
Garber of Floyd	McClune	Saunders	
Gesman	Mathews		

The nays were, none.

Absent or not voting:

Anderson of Webster	Edge	Hempel	Olson
Berry	Elliott	Johnson	Potts
Bradley	Forsling	King	Rankin
Brady	Gallagher	Letts	Rhinehart
Buffington	Garber of Adair	Lovrien	Rust
Dewar	Gilbert	Matthiesen	Slemmons
Diltz	Gilmore	Miller	Stock
Dotts	Hansen	O'Donnell	Wamstad—33
	Hauge		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CONSIDERATION OF JOINT RESOLUTION

House Joint Resolution No. 4, joint resolution authorizing the board of control of state institutions to enter into contracts for the employment of prisoners, was taken up for consideration.

Lake of Woodbury moved that the joint resolution be read a third time now and placed upon its passage, which motion prevailed and the joint resolution was read a third time.

On the question "Shall the joint resolution pass?"

The ayes were:

Aiken	Blume	Colbert	Doolittle
Anderson of Winnebago	Brittain	Cole	Edge
Blake	Carter	Donhowe	Edson
	Children	Dooley	Fackler

Forsling	Henderson	Oliver	Smith
Frahm	Himebauch	Ontjes	of Chickasaw
Gallagher	Hollis	Orr	Smith of Lucas
Garber of Adair	Huff	Parsons	Stookesberry
Garber of Floyd	King	Powers	Storey
Gesman	Knutson	Quirk	Strippel
Gibson	Lake	Ramsey	Venard
Gilbertson	Leonard	Rassler	Vincent
Gilmore	Lichty	Robson	Weber
Graham	Lieberknecht	Rumley	Williams
Grimwood	Long	Saunders	Wilson
Hansen	Mathews	Schirmer	Wolfe
Harrison	Moen	Schulte	Yenter--74
Hattendorf	Napier	Scott	
Healy	Natvig	of Appanoose	
Held	Noble	Scott of Fremont	

The nays were, none.

Absent or not voting:

Anderson	Diltz	McClune	Rewoldt
of Webster	Dotts	Matthlesen	Rhinehart
Berry	Elliott	Miller	Rust
Bradley	Gilbert	O'Donnell	Sampson
Brady	Hauge	Olson	Slemmons
Buffington	Hempel	Patterson	Stock
Clark	Johnson	Peterson	Ulstad
Criswell	Letts	Potts	Wamstad—34
Dewar	Lovrien	Rankin	

So the joint resolution having received a constitutional majority was declared to have passed the House 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. 121, a bill for an act relating to the county road, bridge, and culvert system, and to the improvement and maintenance of primary and county roads.

Also, that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate File No. 207, a bill for an act relating to the insurance department, life insurance companies, group life insurance, insurance other than life, assessment insurance, and to the right of members of such associations to vote.

Also, 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 relating to municipal corporations and special charter cities.

Also, 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 transfer by concurrent resolution by the Thirty-eighth General Assembly of \$519,287.76 from the general revenue fund of the state.

Also, 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 legalizing the transfer by concurrent resolution by the Thirty-ninth General Assembly of \$199,839.39 from the general revenue fund of the state.

Also, that the Senate has refused to concur in the House amendments to Senate File No. 169, a bill for an act relating to municipal corporations—street improvements and sewers.

Also, that the Senate has receded from its amendment to section one (1) of House File No. 172, a bill for an act relating to municipal corporations.

Also, that the Senate has adopted the conference committee report and concurred in the amendments proposed therein, on Senate File No. 27, a bill for an act relating to the right of a voter to vote when disabled or when absent from the polls on election day, or when engaged in the service of the government of the United States, or of this state.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 254, a bill for an act relating to bonds for the performance of contracts for public improvements, and to the rights of persons who furnish labor or materials on such improvements.

LEON W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 254

Amend section 2 by striking out all after the period (.) following the word "amount" in line 6.

Amend section 6 by adding at the close thereof the following:

"Every surety on this bond shall be deemed and held, any contract to the contrary notwithstanding, to consent without notice:

1. To any extension of time to the contractor in which to perform the contract.

2. To any change in the plans, specifications or contract, when such change does not involve an increase of more than twenty per cent of the total contract price, and shall then be released only as to such excess increase.

3. That no provision of this bond or of any other contract shall be valid which limits to less than one year from the time of the acceptance of the work the right to sue on this bond for defects in workmanship or material not discovered or known to the obligee at the time such work was accepted."

Amend section 7 as follows: After the word "material" in line 3 thereof, add the words "service or transportation"; also change the period (.) after the word "material" in line 6 to a comma (,) and add thereto the words "service or transportation".

## SENATE MESSAGES CONSIDERED

Senate File No. 207, a bill for an act to amend, revise, and codify section five thousand four hundred sixty-three (5463) of the compiled code of Iowa, and sections five thousand four hundred sixty-three-a one (5463-a1), five thousand four hundred sixty-three-a two (5463-a2), and five thousand four hundred sixty-three-a three (5463-a3), of the supplement to the compiled code, relating to the insurance department; section five thousand four hundred ninety-six (5496) of the supplement to the compiled code, relating to life insurance companies; section five thousand five hundred two (5502) of the compiled code, relating to group life insurance; sections five thousand six hundred five (5605) of the supplement to the compiled code, five thousand six hundred nine (5609), five thousand six hundred seventeen (5617), and five thousand six hundred eighteen (5618) of the compiled code, relating to insurance other than life; and subsection eight (8) of section five thousand six hundred twenty-seven (5627) of the supplement to the compiled code, relating to insurance other than life; and amending chapter 4, title XVIII. of the compiled code, relating to assessment insurance, by inserting after section five thousand five hundred nine (5509) certain provisions in relation to the right of members of such associations to vote.

Read first and second times and, on motion of Garber of Adair, referred to committee on insurance.

Senate File No. 121, a bill for an act to amend, revise, and codify chapters five (5) and eighteen (18) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to the county road, bridge, and culvert system, and taxation therefor and to toll bridges and ferries, and relating to the improvement of primary and county road systems and the issuance of bonds therefor, and anticipating primary road funds for primary road bonds, and county road funds for county road bonds, and relating to taxation for the payment of both kinds of said bonds and the interest thereon, and providing a method additional to that now provided by law for improvement and maintenance of primary and county roads.

Read first and second times and, on motion of Edson of Buena Vista, referred to committee on roads and highways.

Senate File No. 182, a bill for an act to amend, revise, and codify

sections four thousand two hundred ninety-nine (4299), four thousand three hundred six (4306), four thousand three hundred ten (4310), four thousand three hundred eighteen (4318), four thousand three hundred twenty (4320) to four thousand three hundred twenty-two (4322), inclusive, four thousand three hundred twenty-four (4324), four thousand three hundred twenty-five (4325), four thousand three hundred twenty-seven (4327), four thousand three hundred thirty (4330), four thousand three hundred thirty-six (4336), four thousand three hundred forty-five (4345), four thousand three hundred forty-six (4346), four thousand three hundred forty-eight (4348) to four thousand three hundred fifty (4350), inclusive, four thousand three hundred fifty-two (4352) to four thousand three hundred fifty-five (4355), inclusive, four thousand three hundred fifty-seven (4357), four thousand three hundred fifty-nine (4359) to four thousand three hundred sixty-one (4361), inclusive, four thousand three hundred sixty-four (4364), four thousand three hundred sixty-five (4365), four thousand three hundred sixty-nine (4369), four thousand three hundred seventy-nine (4379) to four thousand three hundred eighty-three (4383), inclusive, four thousand three hundred ninety-two (4392) to four thousand three hundred ninety-five (4395), inclusive, four thousand four hundred (4400) to four thousand four hundred two (4402), inclusive, four thousand four hundred four (4404), four thousand four hundred six (4406) to four thousand four hundred eight (4408), inclusive, four thousand four hundred ten (4410), four thousand four hundred twelve (4412) to four thousand four hundred fourteen (4414), inclusive, four thousand four hundred seventeen (4417), four thousand four hundred forty (4440) to four thousand four hundred forty-four (4444), inclusive, of the compiled code of Iowa, and sections four thousand three hundred twenty-three (4323), four thousand three hundred twenty-eight (4328), four thousand three hundred twenty-nine (4329), four thousand three hundred forty-seven (4347), four thousand three hundred fifty-one (4351), four thousand three hundred fifty-six (4356), four thousand three hundred fifty-eight (4358), four thousand three hundred seventy-eight (4378), four thousand three hundred ninety-four-a one (4394-a1), four thousand four hundred nine (4409), four thousand four hundred forty-a one (4440-a1), four thousand four hundred sixty-eight (4468), and four thousand four hundred sixty-eight-a one (4468-a1) of the supplement to said code, relating to municipal corporations, and to repeal section four

thousand eighty-five (4085) of the compiled code, relating to plats.

Read first and second times and, on motion of Forsling of Woodbury, referred to the committee on municipal corporations.

Senate File No. 310, a bill for an act legalizing the transfer by concurrent resolution by the 38th General Assembly of \$519,287.76 from the general revenue fund of the state to the support fund of various state institutions under the board of control of state institutions, and the expenditure thereof the same as though such transfer had been legally made and an appropriation made therefor.

Read first and second times and referred to committee on judiciary.

Senate File No. 311, a bill for an act legalizing the transfer by concurrent resolution by the 39th General Assembly of \$199,839.39 from the general revenue fund of the state to the support fund of various state institutions under the board of control of state institutions and the expenditure thereof the same as though such transfer had been legally made and appropriation made therefor.

Read first and second times and referred to committee on judiciary.

#### REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 27

MR. SPEAKER: Your conference committee on Senate File No. 27 begs leave to report that it has had under consideration the amendments to said bill, proposed by the House and in which the Senate refused to concur. After mature consideration, it is the recommendation of this committee that the Senate recede from its original refusal to accept the House amendments and concur in and adopt the same.

FRANK SHANE  
GEORGE S. BANTA  
H. A. DARTING  
D. W. KIMBERLY

*Conferees on the part of the Senate.*

JOHN H. AIKEN,  
A. C. NOBLE  
W. C. SCOTT  
L. V. CARTER,

*Conferees on the part of the House.*

## CONSIDERATION OF BILLS

House File No. 307, a bill for an act to legalize the consolidation of the Keokuk & Hamilton Mississippi River Bridge Company with the Hancock County Bridge Company and the amendment and renewal of the articles of consolidation of the consolidated company for a term of fifty (50) years, beginning August first, nineteen hundred eighteen (1918), with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of April 3d, were taken up and considered.

Garber of Adair offered the following amendment to the committee amendments and moved its adoption:

Amend the committee amendments to House File No. 307 by inserting between the words "Hamilton" and "Bridge" the words "Mississippi River".

Amendment to the committee amendments adopted.

On motion of Mr. Garber the committee amendments, as amended, were adopted.

Mr. Garber moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Winnebago	Garber of Floyd	McClune	Schulte
Berry	Gesman	Mathews	Scott of
Blake	Gibson	Napier	Appanoose
Blume	Gilbert	Natvig	Scott of Fremont
Brittain	Gilbertson	Ontjes	Smith of
Carter	Grimwood	Orr	Chckasaw
Children	Harrison	Parsons	Smith of Lucas
Clark	Hattendorf	Patterson	Stookesberry
Criswell	Henderson	Peterson	Storey
Diltz	Himebauch	Ramsey	Strippel
Doolittle	Hollis	Rewoldt	Venard
Edge	Huff	Robson	Vincent
Edson	King	Rumley	Weber
Forsling	Knutson	Sampson	Williams
Gallagher	Lake	Saunders	Wilson
Garber of Adair	Lieberknecht	Schirmer	Wolfe
	Long		Yenter—64

The nays were, none.

## Absent or not voting:

Aiken	Elliott	Leonard	Potts
Anderson of Webster	Fackler	Letts	Powers
Bradley	Frahm	Lichty	Quirk
Brady	Gilmora	Lovrien	Rankin
Buffington	Graham	Matthiesen	Rassler
Colbert	Hansen	Miller	Rhinehart
Cole	Hauge	Moen	Rust
Dewar	Healy	Noble	Slemmons
Donhowe	Held	O'Donnell	Stock
Dooley	Hempel	Oliver	Ulstad
Dotts	Johnson	Olson	Wamstad—44

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Anderson in the chair.

## HOUSE INSISTS UPON AMENDMENTS

Forsling of Woodbury moved that the House insist upon its amendments to Senate File No. 169.

Motion prevailed.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 45, 101 and 123.

## APPOINTMENT OF CONFERENCE COMMITTEES

As a conference committee on Senate File No. 7, the Speaker appointed the following members on the part of the House: Moen of Lyon, Harrison of Pottawattamie, Hauge of Polk and Quirk of Sac.

As a conference committee on House File No. 169, the Speaker appointed the following members on the part of the House: Blake of Fayette, Gilbert of Marshall, Stock of Allamakee and Forsling of Woodbury.

## HOUSE FILE WITHDRAWN

On request of Carter of Hardin, unanimous consent having been obtained, House File No. 115 was withdrawn from further consideration by the House.

## REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 220

Gilbert of Marshall, from the conference committee on House File No. 220, submitted the following report:

MR. SPEAKER: We, your conference committee to whom was referred the disagreements between the House and Senate on House File No. 220, a bill for an act relating to municipal courts, beg leave to report we have had same under consideration and make the following recommendations:

- (1) That the Senate recede from its amendment to section 14.
- (2) That the House concur in Senate amendment to section 15.
- (3) That the House concur in Senate amendment to section 17.
- (4) That the Senate amendment to section 19 be amended by inserting after the word "towns" in line four the words "other than that" and that said amendment when so amended be concurred in.
- (5) That the House concur in Senate amendment to section 20.
- (6) That the following amendment be substituted for the Senate amendment which adds section 23-a1 to the bill:

Amend said bill by inserting following section 23 the following:

"Sec. 23-a1. All provisions of the law relating to change of venue from the district court shall govern so far as applicable changes of venue from the municipal court."

- (7) That the House concur in Senate amendment to section 24.
- (8) That the Senate recede from its amendment to section 27.
- (9) That the House concur in Senate amendment to section 28.
- (10) That the Senate amendment to section 29 be stricken out and the following inserted in lieu thereof:

Amend by striking out section 29 of the bill and inserting in lieu thereof the following:

"Sec. 29. Fees, costs, and expenses.

If no provision is made in the laws applicable to the district court for fees, costs, and expenses, they shall be the same as in justice of the peace courts. The balliff may retain the amount allowed to him by law for mileage and necessary actual expenses in addition to his salary. All other fees, fines, forfeitures, costs and expenses shall be turned over to the city treasurer by the officer collecting the same on or before the tenth day of each succeeding month and the city treasurer shall forthwith pay to the county treasurer for the benefit of the school fund the portion of the fines and forfeitures collected for the violation of state laws."

- (11) That the House concur in the Senate amendment to section 31.
- (12) That the House concur in the Senate amendment to section 35.
- (13) That the House concur in the Senate amendment to section 36.
- (14) That the Senate recede from its amendment to section 41.

- (15) That the House concur in Senate amendment to section 42.
- (16) That the Senate recede from its amendment to section 43.
- (17) That the House concur in Senate amendment to section 49.

F. B. GILBERT,  
VOLNEY DILTZ,  
C. A. HOLLIS,

*Conferees on part of House.*

R. P. SCOTT,  
J. E. WICHMAN,  
CARL W. REED,

*Conferees on part of Senate.*

Passed on file.

#### AMENDMENTS FILED

Johnson of Dickinson filed the following amendments to Senate File No. 121:

Amend Senate File No. 121 by striking therefrom Sections 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, and substituting the following as sections 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 and 61:

Sec. 51. In addition to other methods provided by law for the improvement of roads, any county may issue anticipatory primary road bonds for the purpose of raising funds to pay the cost of draining, grading, and completing the construction of primary roads for surfacing with gravel, and for graveling, and anticipatory county road bonds for the purpose of draining, grading, and completing the construction of county roads for surfacing with gravel, and for graveling, and may anticipate the primary and county road funds for the payment of said bonds respectively, when authorized by a vote of the people, by proceeding as hereinafter provided.

Sec. 52. A petition for the improvement of roads as provided in the last preceding section, signed by at least ten per cent (10%) of the legal voters, resident of the county, as shown by the poll books of the last preceding election, may be filed with the board of supervisors, which petition shall set forth the roads of the county upon which the improvement is desired and in a general way the nature of the proposed improvement. Such petition shall forthwith be referred to the county engineer, who shall make a plat of the proposed improvement. He shall specify the kind of materials to be used and the width of the roads to be improved, and shall make an estimate of the cost of each mile and the total cost of the proposed improvement, and the time within which it should be completed. Upon the completion of his report, the engineer shall file the same with the board of supervisors.

Sec. 53. Within thirty (30) days after the filing of the engineer's report, the board of supervisors shall, at a regular meeting or a special meeting called for that purpose, consider the said report, and shall then fix a time for hearing upon said petition and plan of improvement, which shall be not less than twenty (20) nor more than twenty-five (25) days from the date of such meeting, and the county auditor shall cause to be

published in two newspapers of general circulation in the county once each week for two (2) consecutive weeks a notice of such hearing and a description of the roads proposed to be improved and of the proposed improvements, stating the kind of materials to be used, also an estimate of the average cost per mile for the several kinds of improvements proposed. At such hearing any citizen may appear and object and be heard, and after the hearing the board may dismiss the petition or shall adopt a plan for road improvements substantially as proposed.

Sec. 54. Upon the adoption of a plan for road improvement the board may, or upon petition of a number of qualified electors of the county equal to twenty-five per cent (25%) of the total number of votes cast for governor in said county at the last preceding general election, shall submit to the voters of the county at a general election, or at a special election called for that purpose, the questions of issuing interest-bearing bonds from year to year to be designated as anticipatory primary road bonds or anticipatory county road bonds, as the case may be, and of anticipating the primary road fund and the county road, drainage, and bridge funds, to the extent and in the manner hereinafter provided.

Sec. 55. The board shall, prior to the calling of said election, determine the amount of the revenues derived from each of the said funds during the five years preceding that in which the said election is to be held, and shall ascertain the average amount received during each of said years. It shall then appropriate, dedicate, and pledge such an amount of the revenues to be collected for the purposes of the primary road fund in each year of the term for which the anticipatory primary road bonds are to be authorized, as shall be sufficient to pay the said bonds and the interest thereon, during the said term, and of the county road, drainage, and bridge funds in each year of the term for which the anticipatory county road bonds are to be authorized, as shall be sufficient to pay the said bonds and the interest thereon during said term, as they shall mature; but in no case shall such amount so appropriated, dedicated, and pledged be in excess of one-half of the average amount derived from such levies or revenues during each of the previous five years as hereinbefore provided. All moneys received in excess of the proportion appropriated, dedicated, and pledged as hereinbefore provided shall be used and employed for the repair and maintenance of roads, culverts and bridges and for such other purposes as are now or hereafter may be provided by statute.

Sec. 56. The form of the ballot shall be substantially as follows:

(1) Shall the board of supervisors be authorized to issue serial bonds, to be known as anticipatory primary road bonds, in the aggregate amount not exceeding \_\_\_\_\_ dollars (\$——), to provide funds for the following purposes:

(a) \_\_\_\_\_ dollars (\$——) for draining, grading, and completing the construction for surfacing with gravel of primary roads described as follows: (Here set forth the location of the primary roads to be drained, graded and completed, the length and estimated cost of each portion thereof.)

(b) \_\_\_\_\_ dollars (\$——) for surfacing with gravel primary roads

described as follows: (Here set forth the location of the primary roads to be surfaced with gravel, and the length and estimated cost of each portion thereof.)

(2) Shall the county's allotment of the primary road fund to the amount of \_\_\_\_\_ dollars (\$\_\_\_\_) per annum, being \_\_\_\_\_ per centum (\_\_\_\_%) of the average annual receipts for such purposes during the five years ended \_\_\_\_\_, 19\_\_\_\_, be appropriated and used for the payment of said anticipatory primary road bonds and interest thereon?

(3) Shall the board of supervisors be authorized to issue serial bonds to be known as anticipatory county road bonds in the aggregate amount not exceeding \_\_\_\_\_ dollars (\$\_\_\_\_), to provide funds for the following purposes:

(a) \_\_\_\_\_ dollars (\$\_\_\_\_) for draining, grading and completing construction for surfacing with gravel county roads described as follows: (Here set forth the location of the county roads to be drained, graded, and construction completed for surfacing with gravel, the length and estimated cost of each portion thereof.)

(b) \_\_\_\_\_ dollars (\$\_\_\_\_) for surfacing with gravel county roads described as follows: (Here set forth the location of the county roads to be surfaced with gravel, the length, and estimated cost of each portion thereof.)

(4) Shall the county road, drainage, and bridge funds to the amount of \_\_\_\_\_ dollars (\$\_\_\_\_) per annum, being \_\_\_\_\_ per centum (\_\_\_\_%) of the average annual revenues for the purposes of said funds during the five years ended \_\_\_\_\_, 19\_\_\_\_, be appropriated and used for the payment of said anticipatory county road bonds and interest thereon? Yes ( ) No ( )

Sec. 57. The propositions for the improvement of primary roads and of county roads may be submitted by the board as a single proposition or separately.

Sec. 58. All bonds issued hereunder for grading, draining, bridging, or otherwise completing the construction of roads, shall mature in not more than fifteen years from date of issue. All bonds issued hereunder for graveling shall mature in not more than seven years from date of issue. Each bond shall show on its face the date of its maturity. The interest rate shall not exceed five per cent (5%) per annum, payable semi-annually. No bond shall be sold for less than par plus accrued interest.

Sec. 59. The aggregate cost of improving each kind of road described in the questions submitted shall not be more than ten per cent (10%) in excess of the estimated cost thereof.

Sec. 60. All the provisions of law with reference to the election and issuance and sale of bonds for the improvement and hard-surfacing of primary roads shall be applicable to bonds issued under the provisions of this act except as herein otherwise provided.

Sec. 61. This act being deemed of immediate importance shall be in full force and effect after its publication in the Des Moines Daily News and the Cedar Rapids Republican, newspapers published in the city of Des Moines, Iowa, and Cedar Rapids, Iowa, respectively.

Also, amend the title by striking out all after the word "ferries" in line four (4) and inserting in lieu the following: "and relating to the improvement of primary and county road systems and the issuance of bonds therefor, and anticipating primary road and other funds, and providing a method additional to that now provided for the improvement of primary and county roads."

Diltz of Polk moved that the House adjourn until 10:00 a. m. Saturday.

Clark of Linn moved to amend the motion by changing the time from Saturday at 10:00 a. m. to Tuesday at 10:00 a. m.

Diltz of Polk moved as a substitute motion that the House now adjourn until 8:00 a. m. Saturday.

On the question "Shall the substitution be made?" a roll call was demanded.

The ayes were:

Aiken	Gilbert	Napier	Schirmer
Berry	Gilbertson	Natvig	Schulte
Blume	Harrison	Noble	Scott of
Brittain	Henderson	Oliver	Appanoose
Children	Himebauch	Ontjes	Smith of Lucas
Colbert	Huff	Parsons	Stookesberry
Criswell	King	Patterson	Storey
Diltz	Knutson	Peterson	Ulstad
Donhowe	Lake	Quirk	Venard
Doolittle	Leonard	Rewoldt	Vincent
Edson	Long	Rhinehart	Wolfe
Fackler	McClune	Robson	Yenter
Forsling	Mathews	Saunders	Mr. Speaker—52
Garber of Floyd			

The nays were:

Blake	Gesman	Hollis	Scott of Fremont
Clark	Gibson	Lieberknecht	Smith of
Cole	Graham	Moen	Chickasaw
Dooley	Grimwood	Orr	Strippel
Edge	Hansen	Powers	Weber
Frahm	Hattendorf	Ramsey	Wilson—29
Gallagher	Healy	Rumley	
Garber of Adair	Held	Sampson	

Absent or not voting:

Anderson of	Dotts	Lichty	Rankin
Webster	Elliott	Lovrien	Rassler
Bradley	Gilmore	Matthiesen	Rust
Brady	Hauge	Miller	Slemmons
Buffington	Hempel	O'Donnell	Stock
Carter	Johnson	Olson	Wamstad
Dewar	Letts	Potts	Williams—27

The substitution was made.

On the question "Shall the substitute motion by Diltz of Polk prevail?" a roll call was demanded.

The ayes were:

Alken	Garber of Floyd	Natvig	Schulte
Blume	Gilbert	Noble	Scott
Brittain	Gilbertson	Oliver	of Appanoose
Children	Harrison	Ontjes	Scott of Fremont
Criswell	Henderson	Parsons	Smith
Diltz	Himebauch	Patterson	of Chickasaw
Donhowe	King	Peterson	Smith of Lucas
Dooley	Knutson	Quirk	Stookesberry
Doolittle	Lake	Rewoldt	Storey
Edge	Leonard	Rhinehart	Ulstad
Edson	Long	Sampson	Vincent
Fackler	Mathews	Schirmer	Wolfe—48
Forsling	Napier		

The nays were:

Berry	Gesman	McClune	Strippel
Blake	Gibson	Moen	Venard
Clark	Graham	Powers	Weber
Colbert	Grimwood	Ramsey	Williams
Cole	Hansen	Robson	Wilson
Frahm	Hattendorf	Rumley	Yenter
Gallagher	Healy	Saunders	Mr. Speaker—30
Garber of Adair	Held		

Absent or not voting:

Anderson	Elliott	Lichty	Potts
of Webster	Gilmore	Lieberknecht	Rankin
Bradley	Hauge	Lovrien	Rassler
Brady	Hempel	Matthiesen	Rust
Buffington	Hollis	Miller	Slemmons
Carter	Huff	O'Donnell	Stock
Dewar	Johnson	Olson	Wamstad—30
Dotts	Letts	Orr	

The substitute motion by Diltz of Polk prevailed and the House adjourned until 8:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 5, 1924.

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

Prayer was offered by the Rev. Dewitt White, pastor of the Clifton Heights Presbyterian church, Des Moines.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Garber of Adair for the day, on request of Himebauch of Emmet; Strippel of Benton for the day, on request of Wilson of Tama; Lieberknecht of Louisa for the day, on request of Wilson of Tama; Vincent of Guthrie for the day, on request of Ontjes of Grundy; Williams of Montgomery for the day, on request of Children of Pottawattamie; Smith of Chickasaw for the day, on request of Moen of Lyon; Sampson of Audubon for the day, on request of Ulstad of Wright; Robson of Greene for the day, on request of Children of Pottawattamie; Gibson of Clarke for the day, on request of Children of Pottawattamie; Bradley of Poweshiek for the day, on request of McClune of Mahaska; Powers of Page for the day, on request of Peterson of Henry; Saunders of Palo Alto for the day, on request of Knutson of Cerro Gordo; Huff of Cass for the day, on request of Children of Pottawattamie; Doolittle of Delaware for the day, on request of Yenter of Johnson; Ramsey of Butler for the day, on request of Yenter of Johnson.

Children of Pottawattamie moved that rule 63 be suspended for the day.

On the question "Shall rule 63 be suspended for the day?" a roll call was demanded.

The ayes were:

Aiken	Dooley	Henderson	Rankin
Blake	Edson	Knutson	Schulte
Brittain	Fackler	Leonard	Storey
Carter	Garber of Floyd	McClune	Weber
Children	Gilbertson	Olson	Wolfe
Colbert	Grimwood	Peterson	Yenter—29
Dewar	Harrison	Quirk	
Diltz	Healy		

## The nays were:

Blume	Mathews	Patterson	Stookesberry
Donhowe	Moen	Schirmer	Ulstad
Hattendorf	Napier	Scott of	Venard
Held	Noble	Appanoose	Wilson
Himebauch	Oliver	Scott of Fremont	Mr. Speaker--24
King	Ontjes	Smith of Lucas	
Long	Parsons		

## Absent or not voting:

Anderson of	Gallagher	Lichty	Robson
Webster	Garber of Adair	Lieberknecht	Rumley
Berry	Gesman	Lovrien	Rust
Bradley	Gibson	Matthiesen	Sampson
Brady	Gilbert	Miller	Saunders
Buffington	Gilmore	Natvig	Slemmons
Clark	Graham	O'Donnell	Smith of
Cole	Hansen	Orr	Chickasaw
Criswell	Hauge	Potts	Stock
Doolittle	Hempel	Powers	Strippel
Dotts	Hollis	Ramsey	Vincent
Edge	Huff	Rassler	Wamstad
Elliott	Johnson	Rewoldt	Williams--55
Forsling	Lake	Rhinehart	
Frahm	Letts		

McClune of Mahaska raised the point of order that there was not a quorum present and that no business could be transacted.

The roll was called to ascertain the presence of a quorum.

## Those present were:

Aiken	Gilbertson	Moen	Scott of
Blake	Grimwood	Napier	Appanoose
Blume	Harrison	Noble	Scott of Fremont
Brittain	Hattendorf	Oliver	Smith of Lucas
Carter	Healy	Olson	Stookesberry
Children	Held	Ontjes	Storey
Colbert	Henderson	Parsons	Ulstad
Dewar	Himebauch	Patterson	Venard
Diltz	King	Peterson	Weber
Donhowe	Knutson	Quirk	Wilson
Dooley	Leonard	Rankin	Wolfe
Edson	Long	Rewoldt	Yenter
Fackler	McClune	Schirmer	Mr. Speaker 54
Garber of Floyd	Mathews	Schulte	

## Those absent were:

Anderson of	Cole	Frahm	Graham
Webster	Criswell	Gallagher	Hansen
Berry	Doolittle	Garber of Adair	Hauge
Bradley	Dotts	Gesman	Hempel
Brady	Edge	Gibson	Hollis
Buffington	Elliott	Gilbert	Huff
Clark	Forsling	Gilmore	Johnson

Lake	Natvig	Rhinehart	Smith of
Letts	O'Donnell	Robson	Chickasaw
Lichty	Orr	Rumley	Stock
Lieberknecht	Potts	Rust	Strippel
Lovrien	Powers	Sampson	Vincent
Matthiesen	Ramsey	Saunders	Wamstad
Miller	Rassler	Slemmons	Williams—54

The roll call disclosed the absence of a quorum.

Diltz of Polk moved that the House adjourn until 2:00 p. m. Monday.

Motion lost.

Brittain of Madison moved that the House adjourn until 10:00 a. m. Monday.

Motion prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 7, 1924.

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

Prayer was offered by the Rev. Herbert Scott, pastor of the First M. E. church, Des Moines.

Journal of April 5th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Gibson of Clarke for the day, on request of Grimwood of Jones; Bradley of Poweshiek for the day, on request of Donhowe of Story; King of Clay for the day, on request of Quirk of Sac; Johnson of Dickinson for the day, on request of Oliver of Monona; Letts of Washington for the day, on request of Rhinehart of Dallas; Anderson of Webster for the day, on request of Gilbertson of Winneshiak; Clark of Linn for the day, on request of Doolittle of Delaware; Wilson of Tama for the day, on request of Moen of Lyon; Williams of Montgomery for the day, on request of Children of Pottawattamie; Robson of Greene and Huff of Cass for the day, on request of Children of Pottawattamie; Lieberknecht of Louisa for the day, on request of Held of Plymouth; Strippel of Benton for the day, on request of Stock of Allamakee; Ramsey of Butler for the day, on request of Yenter of Johnson; Powers of Page for the day, on request of Peterson of Henry.

## REPORT OF COMMITTEE

Edson of Buena Vista, 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. 121, a bill for an act to amend, revise and codify chapters five (5) and eighteen (18) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to the county road, bridge, and culvert system, and taxation therefor and to toll bridges and ferries, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

(1) Amend section 1 by striking out subsection 1 and substituting in lieu thereof the following:

"1. A county road tax of not more than one mill on all of the taxable property in the county.

One-half of the county road fund arising from the property within a 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 only on the roads and streets within such municipality, which are continuations of such roads as are main arteries of travel leading to such municipalities, by and under the direction of the council or commission.

1-a1. A county road building tax of not less than one mill nor more than two mills on all of the taxable property in the county.

The proceeds of such levies, except such amount thereof as is paid to the municipalities, shall be kept as a county road fund and shall be used, except as otherwise provided, solely for the purchase of road tools, machinery and equipment for the drainage of roads, for filling over culverts and bridge approaches, for the elimination of dangerous railroad crossings in both county and township roads, and for work on the county system."

(2) Strike from Senate File No. 121 all of section 1-a1.

(3) Amend by striking all of section 2 and inserting in lieu thereof the following:

"The county road system shall not embrace any highway which is a part of the primary road system, nor any highway within the limits of cities and towns, except that highways which are located along the corporate limits of cities and towns and which are partly within and partly without such limits, may be embraced in whole or in part within said system. Subject to the foregoing, said county road system shall embrace the highways which are now designated as county roads by the plans and records now on file in the county auditor's office of each county and as the same may hereafter exist by legal modifications or additions."

(4) Amend section 3 by striking from lines 1 and 2 the words "application to the state highway commission for a"; also amend section 3 by striking out of lines 5 and 6 the words ", and in such case the commission may authorize such change as may seem advisable".

(5) Amend by striking out all of section 4 and substitute in lieu thereof the following:

"Whenever all the roads in the county road system have been improved according to the plans herein provided, the board of supervisors may add such roads from the township road system as have been improved by the township in accordance with the general plans and specifications furnished by the engineer and in accordance with the requirements of this chapter, and if the township roads so improved be not sufficient to use all county funds available for that purpose, the board of supervisors may select such additional county roads, but no increase shall be made in the mileage of the county road system until that system is completed, except that the board of supervisors may at any time add such roads from the township

road system as will materially shorten the direct lines of travel between market towns."

(6) Amend section 6 by striking from lines 3 and 4 the following words: "and the state highway commission".

(7) Amend section 7 by striking therefrom, beginning in line 4, the following words: "Provided, however, that whenever any county road or bridge construction or work other than repairs and maintenance work is undertaken, the Board shall employ an engineer."

(8) Amend section 10 by adding thereto at the end of the section the following: "The engineer shall designate on said plans and profiles all existing permanent bridges, culverts and grades."

(9) Amend section 23 by striking from line 6 the word "equally"; also amend by striking out the word "and" following the word "primary" in said line 6 and inserting in lieu thereof the word "or".

(10) Amend section 27 by striking from the end of said section the words "Should either county fail or refuse to comply with said order, the said commission may by suitable court action compel a compliance therewith."

(11) Amend section 30 by inserting in line 5 before the word "Culverts" the word "Temporary".

(12) Amend section 34 by striking from line 2 thereof the words "out of the bridge fund," and by adding at the end of said section the following: "The provision requiring authorization from the voters shall not apply to bridges on the primary road system built entirely out of the primary road fund where there are sufficient funds on hand to complete the construction of said bridge and costing not to exceed seventy thousand dollars (\$70,000.00)."

(13) Amend section 35 by striking from line 2 thereof the words "out of the bridge fund,".

(14) Amend Senate File No. 121 by striking therefrom all of sections 51 to 67, inclusive.

(15) Amend by inserting after section 50 the following:

Sec. 50-a1. That section twenty-nine hundred fourteen (2914) of the supplement to the compiled code of Iowa is amended by adding thereto the following:

"Authorization voted by the electors and not acted upon by the board of supervisors within four (4) years after said authorization shall be deemed null and void."

(16) Amend the title by adding thereto the following: "; and to amend section twenty-nine hundred fourteen (2914) of the supplement to the compiled code of Iowa, relating to the improvement of primary roads".

W. C. Eason, *Chairman*.

Report adopted.

## CONFERENCE COMMITTEE REPORTS CONSIDERED

The report of the conference committee on House File No. 220, found in the House Journal of April 4th, was taken up and considered.

Gilbert of Marshall moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Aiken	Gesman	Matthiesen	Saunders
Berry	Gilbert	Miller	Schirmer
Blake	Gilbertson	Moen	Schulte
Blume	Gilmore	Napier	Scott of
Brittain	Graham	Natvig	Appanoose
Buffington	Grimwood	O'Donnell	Scott of Fremont
Carter	Hansen	Oliver	Smith of
Children	Harrison	Ontjes	Chickasaw
Colbert	Healy	Parsons	Smith of Lucas
Cole	Held	Patterson	Stock
Dewar	Hempel	Peterson	Stookesberry
Doolittle	Henderson	Quirk	Vincent
Dotts	Himebauch	Rankin	Wamstad
Edge	Knutson	Rewoldt	Weber
Elliott	Lake	Rhinehart	Yenter
Fackler	Leonard	Rumley	Mr. Speaker—64
Gallagher	Long		

The nays were, none.

Absent or not voting:

Anderson of	Garber of Adair	Lieberknecht	Robson
Webster	Garber of Floyd	Lovrien	Rust
Bradley	Gibson	McClune	Sampson
Brady	Hattendorf	Mathews	Stemmons
Clark	Hauge	Noble	Storey
Criswell	Hollis	Olson	Strippel
Diltz	Huff	Orr	Ulstad
Donhowe	Johnson	Potts	Venard
Dooley	King	Powers	Williams
Edson	Letts	Ramsey	Wilson
Forsling	Lichty	Rassler	Wolfe—44
Frahm			

The report of the conference committee on House File No. 220 and the amendments proposed by said conference committee were adopted.

The report of the conference committee on Senate File No. 27, found in the House Journal of April 4th, was taken up and considered.

Aiken of Ida moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Aiken	Gallagher	Matthiesen	Schirmer
Berry	Gesman	Miller	Schulte
Blake	Gilbert	Moen	Scott of
Blume	Gilbertson	Napier	Appanoose
Brittain	Gilmore	Natvig	Scott of Fremont
Buffington	Graham	O'Donnell	Smith of
Carter	Grimwood	Oliver	Chickasaw
Children	Hansen	Ontjes	Smith of Lucas
Colbert	Harrison	Parsons	Stock
Cole	Healy	Patterson	Stookesberry
Dewar	Held	Peterson	Storey
Doolittle	Hempel	Quirk	Vincent
Dotts	Henderson	Rankin	Wamstad
Edge	Knutson	Rewoldt	Weber
Edson	Lake	Rhinehart	Wolfe
Elliott	Leonard	Rumley	Yenter
Fackler	Long	Saunders	Mr. Speaker—66

The nays were, none.

Absent or not voting:

Anderson of	Garber of Adair	Lichty	Rassler
Webster	Garber of Floyd	Lieberknecht	Robson
Bradley	Gibson	Lovrien	Rust
Brady	Hattendorf	McClune	Sampson
Clark	Hauge	Mathews	Slemmons
Criswell	Himebauch	Noble	Strippel
Diltz	Hollis	Olson	Ulstad
Donhowe	Huff	Orr	Venard
Dooley	Johnson	Potts	Williams
Forsling	King	Powers	Wilson—42
Frahm	Letts	Ramsey	

The report of the conference committee on Senate File No. 27 and the amendments proposed by said conference committee were adopted.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Gilbert of Marshall, House File No. 254, a bill for an act to amend, revise, and codify chapter seven (7) of title twenty-four (24), sections eighty-four hundred twenty-nine (8429) and eighty-four hundred thirty (8430) of the compiled code of Iowa, and sections eighty-four hundred twenty-seven (8427) and eighty-four hundred twenty-eight (8428) of the supplement to said

code, relating to bonds for the performance of contracts for public improvements, and to the rights of persons who furnish labor or materials on such improvements, with Senate amendments, found in House Journal of April 4th, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Blake	Gesman	Long	Schirmer
Brittain	Gilbert	Matthiesen	Scott of
Buffington	Gilbertson	Moen	Appanoose
Carter	Gilmore	Napier	Scott of Fremont
Children	Graham	Natvig	Smith of
Colbert	Grimwood	O'Donnell	Chickasaw
Dewar	Hansen	Olson	Smith of Lucas
Diltz	Harrison	Ontjes	Stock
Doolittle	Healy	Parsons	Stookesberry
Dotts	Held	Patterson	Storey
Edge	Hempel	Peterson	Vincent
Edson	Henderson	Quirk	Wamstad
Elliott	Himebauch	Rankin	Weber
Fackler	Knutson	Rewoldt	Wolfe
Gallagher	Lake	Rhinehart	Yenter
Garber of Floyd	Leonard	Saunders	Mr. Speaker—62

The nays were:

Blume                      Oliver—2

Absent or not voting:

Alken	Frahm	Lovrien	Rust
Anderson of	Garber of Adair	McClune	Sampson
Webster	Gibson	Mathews	Schulte
Berry	Hattendorf	Miller	Slemmons
Bradley	Hauge	Noble	Strippel
Brady	Hollis	Orr	Ulstad
Clark	Huff	Potts	Venard
Cole	Johnson	Powers	Williams
Criswell	King	Ramsey	Wilson—44
Donhowe	Letts	Rassler	
Dooley	Lichty	Robson	
Forsling	Lieberknecht	Rumley	

The House concurred in the Senate amendments to House File No. 254.

#### INTRODUCTION OF JOINT RESOLUTION

By unanimous consent the following joint resolution was introduced:

House Joint Resolution No. 5, by Long of Jefferson, a joint resolution

proposing an amendment to the constitution of the state of Iowa, prohibiting the legislature from granting any annuity, bonus or pension.

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

Section 1. That the following amendment to the constitution of the state of Iowa, be and the same is hereby proposed, to wit:

"The legislature of the state of Iowa shall not pass any act authorizing the payment from state funds to any person any annuity, bonus or pension for any purpose until at a general election the proposed measure shall have been submitted to the people, and have received a majority of all the votes cast for and against it at such election."

Sec. 2. That the foregoing proposed amendment be and the same is hereby referred to the legislature to be chosen at the next general election for members of the next general assembly, and that the secretary of state cause the same to be published as provided by law.

Read first and second times and referred to committee on constitutional amendments.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Rhinehart of Dallas, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate File No. 283.

CHARLES RHINEHART, *Acting Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### APPOINTMENT OF SPECIAL COMMITTEE

Edson of Buena Vista moved that a committee of five be appointed by the Speaker to draft resolutions commending the work of the code commission.

Motion prevailed and the Speaker appointed as such committee: Edson of Buena Vista, Natvig of Howard, King of Clay, Diltz of Polk and Rhinehart of Dallas.

#### APPOINTMENT OF CONFERENCE COMMITTEE

As a second conference committee on House File No. 213, the Speaker appointed the following members on the part of the House: Cole of Harrison, Wolfe of Linn, Patterson of Kossuth and Knutson of Cerro Gordo.

## REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 134

Vincent of Guthrie, from the conference committee on House File No. 134, submitted the following report:

MR. SPEAKER: We, your conference committee, to whom was referred House File No. 134, beg leave to report that it has had under consideration and it hereby recommends that the Senate recede from its amendments and said bill as passed by the House be amended in the following particulars, to-wit:

1. Amend paragraph six (6) of section two (2) by striking out the said paragraph six (6) and substituting in lieu thereof the following: "To commence, prosecute and defend all actions and proceedings in which any county officer, in his official capacity, or the county, is interested, or a party."

2. Amend section six (6) by striking the period (.) at the end thereof and inserting a semicolon (;) and the following: "provided that no subpoena shall issue unless an order authorizing same shall have been first made by the court or a judge thereof".

Respectfully submitted,

EARL W. VINCENT,  
VOLNEY DILTZ,  
FRED S. HIMEBAUCH,

*Conferees on part of House.*

H. J. MANTZ,  
JNO. R. PRICE,  
M. L. BOWMAN,  
W. A. CALDWELL,

*Conferees on part of Senate.*

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 adopted the conference committee report and concurred in the amendments proposed therein on Senate File No. 75, a bill for an act relating to chattel mortgages, real estate mortgages creating liens on personal property, and conditional sales of personal property.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 88-A, a bill for an act relating to education.

LEON W. AINSWORTH, Secretary.

## REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 75

MR. SPEAKER: Your conference committee on Senate File No. 75 recommend that the differences now existing between the House and the Senate be adjusted as follows:

1. The House recedes from its amendments to sections three, six and seven.

2. Amend section three as follows: Strike from line five of section three the words "true copy" and insert in lieu thereof the word "duplicate".

3. The Senate agrees to the House amendments to sections eight, thirteen, seventeen and eighteen.

4. Add to said bill, following section fifteen, the following:

Sec. 15-a1. Negotiable warehouse receipt, duplicate filed recorder's office.

When a negotiable warehouse certificate is issued, the sealer shall issue and deliver to the owner a duplicate certificate marked "no value". When the owner negotiates the original certificate, he shall at the same time deliver to the assignee the duplicate or the county recorder's receipt for the same. Such assignee may file the duplicate in the office of the county recorder of the county in which the grain is located, which duplicate shall remain in the custody of the recorder, except as hereinafter provided.

Sec. 15-a2. Indexing by recorder.

When a duplicate is filed in the office of the recorder, he shall index the same in the chattel mortgage index or other suitable index book showing date of the certificate, the number thereof, to whom issued, kind, quantity, and location of the grain. He shall collect twenty-five cents (25c) for each certificate indexed.

Sec. 15-a3. Record of assignment.

When the owner or holder of a certificate makes written assignment thereof, the recorder shall on request of the assignee enter a copy of such assignment upon the duplicate in his office, and enter upon his index book the date of the assignment, the names of the assignor and the assignee. In case of reassignment of the certificate to the person to whom issued, the recorder shall copy such assignment on the duplicate and deliver the same to the original owner and enter upon the index book "reassigned to the original owner".

Sec. 15-a4. Notice imparted.

The filing and indexing of such certificate shall impart the same notice as the filing and indexing of a chattel mortgage.

JOHN J. ETHELL,  
CARL W. REED,  
S. C. REES,  
FRANK SHANE,  
*Senate Conferees.*

EARL W. VINCENT,  
JOHN BRADLEY,  
WM. E. G. SAUNDERS,  
R. O. GARBER,

*House Conferees.*

Vincent of Guthrie moved the adoption of the conference committee report on Senate File No. 75 and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Aiken	Garber of Adair	Mathews	Schirmer
Anderson of Webster	Garber of Floyd	Matthiesen	Schulte
Blake	Gesman	Moen	Scott of Appanoose
Blume	Gilbert	Napier	Scott of Fremont
Brittain	Gilbertson	Natvig	Smith of Chickasaw
Buffington	Gilmore	O'Donnell	Smith of Lucas
Carter	Graham	Oliver	Stock
Colbert	Grimwood	Olson	Stokesberry
Cole	Harrison	Ontjes	Storey
Dewar	Hauge	Parsons	Vincent
Diltz	Healy	Patterson	Wamstad
Donhowe	Hempel	Peterson	Weber
Dotts	Henderson	Quirk	Wolfe
Edge	Himebauch	Rankin	Yenter
Elliott	Knutson	Rhinehart	Mr. Speaker—67
Fackler	Lake	Rumley	
Gallagher	Leonard	Saunders	
	Long		

The nays were, none.

Absent or not voting:

Berry	Gibson	Lieberknecht	Rewoldt
Bradley	Hansen	Lovrien	Robson
Brady	Hattendorf	McClune	Rust
Children	Held	Miller	Sampson
Clark	Hollis	Noble	Slemmons
Criswell	Huff	Orr	Strippel
Dooley	Johnson	Potts	Ulstad
Doolittle	King	Powers	Venard
Edson	Letts	Ramsey	Williams
Forsling	Lichty	Rassler	Wilson—41
Frahm			

The report of the conference committee on Senate File No. 75 and the amendments proposed by said conference committee were adopted.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Harrison of Pottawattamie, House File No. 88-A, a bill for an act to amend, revise and codify sections two thousand two hundred ninety-six (2296) to two thousand three hundred three (2303), inclusive, two thousand three hundred five (2305), two thousand three hundred seven (2307), two thousand

three hundred eight (2308), two thousand four hundred eighty-one (2481) to two thousand four hundred eighty-eight (2488), inclusive, and two thousand four hundred ninety-two (2492) to two thousand four hundred ninety-nine (2499), inclusive, of the compiled code, and sections two thousand two hundred ninety-five (2295), two thousand three hundred four (2304), two thousand three hundred six (2306) and two thousand four hundred eighty-two-a one (2482-a1) of the supplement to said code, relating to education, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend by inserting the following section:

"Sec. 4-a. All examinations shall cover the fundamental principles of a republican form of government and the constitution of the United States and of the state of Iowa."

Amend section 5, by striking from lines 4 and 5 the words "or with such other training and qualifications as the board may require,".

Amend section 5, line 5, by changing the comma (,) following the word "require" to a period (.), and by striking the remainder of the section.

Amend section 6 by inserting in line 8 the word "and" before the word "general", by striking the comma (,) after the word "history" and inserting a period (.), and by striking the remainder of the section.

Amend section 8, line 7, by inserting the word "requisite" after the word "fitness".

Amend section 32 by inserting a period (.) in lieu of the semicolon (;) after the word "examiners" in line 8, by striking the remainder of the section, and by inserting in line 7 after the word "certificate" a comma (,) and the words "valid for the remainder of the school year,".

Amend section 36, line 2, by striking the word "to" following the word "conformity" and inserting the word "with" in lieu thereof.

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

On the question "Shall the House concur?"

The ayes were:

Alken	Colbert	Fackler	Grimwood
Anderson of	Dewar	Gallagher	Hansen
Webster	Diltz	Garber of Adair	Harrison
Blume	Donhowe	Garber of Floyd	Hattendorf
Brittain	Dooley	Gesman	Hauge
Buffington	Dotts	Gilbert	Healy
Carter	Edson	Gilbertson	Held
Children	Elliott	Graham	Hempel

Henderson	Noble	Rhinehart	Smith of Lucas
Himebauch	O'Donnell	Rumley	Stock
Knutson	Olson	Saunders	Stookesberry
Lake	Ontjes	Schirmer	Storey
Leonard	Parsons	Schulte	Venard
Long	Patterson	Scott of	Wamstad
Mathews	Peterson	Appanoose	Weber
Matthiesen	Quirk	Scott of Fremont	Yenter
Moen	Rankin	Smith of	Mr. Speaker—69
Napier	Rewoldt	Chickasaw	
Natvig			

The nays were, none.

Absent or not voting:

Berry	Frahm	Lovrien	Rust
Blake	Gibson	McClune	Sampson
Bradley	Gilmore	Miller	Slemmons
Brady	Hollis	Oliver	Strippel
Clark	Huff	Orr	Ulstad
Cole	Johnson	Potts	Vincent
Criswell	King	Powers	Williams
Doolittle	Letts	Ramsey	Wilson
Edge	Lichty	Rassler	Wolfe—39
Forsling	Lieberknecht	Robson	

The House concurred in the Senate amendments to House File No. 88-A.

#### CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 69

Robson of Greene, from the conference committee on House File No. 69, submitted the following report.

MR. SPEAKER: Your joint conference committee to whom was referred House File No. 69 beg leave to report that they have considered the matters in dispute in which the House refuses to concur in the Senate amendments and report that they recommend a compromise report as follows:

(1) That the Senate concur in the House amendments to the Senate amendments to section 2.

(2) That the Senate recede from its amendments to section 5, subsection 6.

(3) That section 18, subsection 6, be amended by striking the Senate amendment and also striking the words and figures "one hundred and fifty (150) feet" and inserting in lieu thereof the words and figures "fifty (50) feet".

(4) That the Senate recede from its amendments to section 23.

(5) That the Senate recede from its amendments in line 3 of section 63 and that the words "ten (10) by fourteen (14) inches" in line 7 be amended to read "fifteen (15) by twenty-five (25) inches".

(6) That the Senate amendments to section 64 be sustained.

PAUL N. ROBSON,  
W. WALTER WILSON,  
H. C. HATTENDORF,  
CHARLES RHINEHART,

*Conferees on part of House.*

E. W. ROMKEY,  
W. SCHMEDIKA,  
J. A. NELSON,  
CHAS. OLSON,

*Conferees on part of Senate.*

#### SPECIAL ORDER MADE

On request of Himébauch of Emmet, unanimous consent having been obtained, Senate File No. 121 was made a special order for Wednesday, April 9th, at 1:00 p. m.

On motion of Donhowe of Story the House adjourned until 10:00 a. m. Tuesday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 8, 1924.

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

Prayer was offered by the Rev. M. W. Gustafson, pastor of the Lutheran church, Madrid, Iowa.

Journal of April 7th corrected and approved.

## PETITIONS

Schirmer of Jackson presented petitions from business men and other citizens of Sabula, Andrew and Baldwin, favoring the passage of a gasoline tax bill. Referred to committee on ways and means.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Yenter of Johnson until Thursday, on request of Grimwood of Jones; Robson of Greene for the day, on request of Rhinehart of Dallas; Donhowe of Story for the day, on request of Berry of Monroe; Carter of Hardin for the day, on request of Dotts of Wayne; King of Clay for the day, on request of Quirk of Sac; Gesman of Marion for the day, on request of Frahm of Carroll.

## REPORT OF COMMITTEE

Moen of Lyon, 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. 183, a bill for an act to amend, revise, and codify sections four thousand four hundred eighty-three (4483) to four thousand four hundred eighty-seven (4487), inclusive, four thousand five hundred eight (4508), four thousand five hundred nine (4509), four thousand five hundred ten (4510), four thousand five hundred eleven (4511), four thousand five hundred thirteen (4513), four thousand five hundred sixty-seven (4567), four thousand six hundred seventeen (4617), four thousand six hundred nineteen (4619), four thousand six hundred twenty (4620), and four thousand six hundred ninety-three (4693) of the compiled code of

Iowa, and sections four thousand four hundred eighty-two (4482), four thousand four hundred ninety-three (4493), four thousand four hundred ninety-nine (4499), four thousand four hundred ninety-nine-a one (4499-a1), four thousand five hundred (4500), and four thousand six hundred nine (4609) of the supplement to said code, relating to taxation, and to provide an additional millage tax upon certain 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, and when so amended the bill do pass:

(1) Amend the title as follows:

By adding after the figures in parentheses "(4567)," the following: "four thousand five hundred seventy-seven (4577)."

By inserting in line six (6) thereof following the figures in parentheses "(4567)," the following: "four thousand five hundred eighty-four (4584)."

(2) Amend section 1 as follows:

Amend paragraph (d) of subsection 1 by striking out of the second line thereof the words "grounds and buildings" and inserting in lieu thereof the following: "publicly owned buildings and grounds".

Amend by striking from subsection 6, line 57, the word "nine" and inserting in lieu thereof the word "six".

Amend subsection 11 by striking from said subsection the sentence immediately preceding line 95 thereof, which sentence reads as follows: "No such suspended taxes shall be collectible or be a lien at a date two years later than the death of the person for whose benefit such suspension was made."

(3) Amend the subenacting clause preceding section 12 by adding the letter "s" to the word "section" in the first line thereof; also amend by adding after the figures in parentheses "(4510)" the words and figures: "and four thousand five hundred eleven (4511)".

(4) Amend section 16 by inserting in line 3 after the word "title" the following: "and except as provided in section seventeen-a one (17-a1) hereof".

(5) Amend by adding after section 17 the following:

That section four thousand five hundred seventy-seven (4577) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 17-a1. Company defined—verification of statement.

The word "company" as used in this chapter and section four thousand four hundred eighty-six (4486) shall be deemed and considered to mean and include any person, copartnership, association, corporation, or syndicate (except cooperative corporations or associations which are not organized or operated for profit) that shall own or operate transmission line or lines for the conducting of electric energy located within the state and wholly or partly outside cities and towns, whether formed or organized under the laws of this state or elsewhere; and the verification of any statement required by law shall, in the case of a person, be made by such person; in case of a corporation, by the president or secretary thereof; and in the case of a copartnership, association, or syndicate, by some member,

officer, or agent thereof having knowledge of the facts. The value of the interests of members in such cooperative corporations or associations which are not organized or operated for profit shall, for the purpose of taxation, be deemed real estate, and be assessed as part of the real estate served by such transmission line or lines.

(6) Amend section 20 by striking out of said section all after the word "the" at the end of line five (5), down to the word "acres" at the beginning of line ten (10), and inserting in lieu thereof the following: "county auditor shall transcribe the assessments of the several townships, towns and cities into the book, to be known as the tax list, properly ruled and headed with separate columns, in which shall be entered the names of the taxpayers, descriptions of lands, number of".

(7) Amend section 22 by adding after the word "credits" in line 7 the following: "and other monied capital taxed at a flat rate as provided in section four thousand five hundred four (4504) of the compiled code".

(8) Amend section 23 as follows:

By adding after the word "credits" in line 6 thereof the following: "and other monied capital taxed at a flat rate as provided in section four thousand five hundred four (4504) of the compiled code".

By striking the period at the end of said section and adding the following: "and other monied capital taxed at a flat rate as provided in section four thousand five hundred four (4504) of the compiled code."

(9) Amend section 26 by striking out all of said section.

(10) Amend by adding after section 29 the following:

That section four thousand five hundred eighty-four (4584) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 30. Actual value as basis of taxation—how determined.

All property subject to taxation shall be valued at its actual value which shall be entered opposite each item, and, except as otherwise provided, shall be assessed at twenty-five per cent (25%) of such actual value.

Such assessed value shall be taken and considered as the taxable value of such property upon which the levy shall be made. Actual value of property as used in this title shall mean its value in the market in the ordinary course of trade.

In arriving at said actual value the assessor shall take into consideration its productive and earning capacity, if any, past, present, and prospective; its market value, if any, and all other matters that affect the actual value of the property; and the burden of proof shall be upon any complainant attacking such valuation as excessive, inadequate and inequitable.

T. E. MOEN, *Chairman.*

Report adopted.

#### INTRODUCTION OF BILLS

House File No. 316, by Storey of Warren, a bill for an act to legalize a school election held in the independent school district

of Indianola, in the county of Warren on the tenth (10th) day of March, nineteen hundred twenty-four (1924), whereat there was submitted to the voters of said independent school district, pursuant to a resolution adopted by the board of directors thereof, a proposition to issue bonds of said district in the sum of one hundred seventy-five thousand dollars (\$175,000.00), the funds arising from the sale thereof, to be used for the purpose of construction and equipping a school building and procuring a site therefor.

Read first and second times and referred to committee on judiciary.

House File No. 317, by Berry of Monroe, a bill for an act to legalize a certain warrant issued by the board of supervisors of Monroe county, Iowa.

Read first and second times and referred to committee on judiciary.

House File No. 318, by Hauge of Polk, a bill for an act to legalize certain bonds issued or to be issued under the provisions of chapter 8, title 5, of the code of Iowa as amended and under the provisions of section 912, chapter 13, title 5, of the code.

Read first and second times and referred to committee on judiciary.

#### PROOF OF PUBLICATION ON HOUSE FILE NO. 317

The official proof of publication of House File No. 317, a proposed bill for the legalization of a warrant to the county of Monroe, in the state of Iowa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

#### CONFERENCE COMMITTEE REPORTS CONSIDERED

The report of the conference committee on House File No. 158, found in the House Journal of April 3d, was taken up and considered.

O'Donnell of Dubuque moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of Webster	Garber of Adair	Mathews	Rust
Berry	Gibson	Miller	Sampson
Blake	Gilbert	Moen	Saunders
Blume	Gimcore	Napier	Schirmer
Bradley	Grimwood	Natvig	Schulte
Brittain	Hansen	Noble	Scott of
Buffington	Harrison	O'Donnell	Appanoose
Colbert	Hattendorf	Ontjes	Slemmons
Cole	Healy	Orr	Smith of
Criswell	Hempel	Parsons	Chickasaw
Dewar	Henderson	Patterson	Smith of Lucas
Dooley	Himebauch	Peterson	Stock
Doolittle	Huff	Potts	Stookesberry
Dotts	Johnson	Quirk	Storey
Edson	Knutson	Ramsey	Ulstad
Elliott	Leonard	Rankin	Venard
Fackler	Letts	Rassler	Weber
Forsling	Lichty	Rewoldt	Williams
Frahm	Lieberknecht	Rhinehart	Wilson
Gallagher	Long	Rumley	Mr. Speaker—79
	McClune		

The nays were, none.

Absent or not voting:

Alken	Garber of Floyd	King	Robson
Brady	Gesman	Lake	Scott of Fremont
Carter	Gilbertson	Lovrien	Strippel
Children	Graham	Matthiesen	Vincent
Clark	Hauge	Oliver	Wamstad
Diltz	Held	Olson	Wolfe
Donhowe	Hollis	Powers	Yenter—29
Edge			

The report of the conference committee on House File No. 158 and the amendments proposed by said conference committee were adopted.

The report of the conference committee on House File No. 134, found in the House Journal of April 7th, was taken up and considered.

Vincent of Guthrie moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of Webster	Berry Blake	Blume Brittain	Buffington Cole
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Criswell	Held	O'Donnell	Scott of
Dewar	Hempel	Oliver	Appanoose
Dooley	Henderson	Ontjes	Scott of Fremont
Doolittle	Himebauch	Orr	Slemmons
Dotts	Huff	Parsons	Smith of
Elliott	Johnson	Patterson	Chickasaw
Fackler	Knutson	Peterson	Smith of Lucas
Frahm	Leonard	Potts	Stock
Gallagher	Letts	Quirk	Stookesberry
Garber of Adair	Lichty	Ramsey	Storey
Gibson	Lieberknecht	Rankin	Strippel
Gilbert	Long	Rassler	Ulstad
Gilmore	McClune	Rewoldt	Venard
Graham	Mathews	Rumley	Vincent
Grimwood	Miller	Rust	Wamstad
Hansen	Moen	Sampson	Weber
Harrison	Napier	Saunders	Williams
Hattendorf	Natvig	Schirmer	Wilson
Healy	Noble	Schulte	Mr. Speaker—81

The nays were, none.

Absent or not voting:

Aiken	Diltz	Gilbertson	Olson
Bradley	Donhowe	Hauge	Powers
Brady	Edge	Hollis	Rhinehart
Carter	Edson	King	Robson
Children	Forsling	Lake	Wolfe
Clark	Garber of Floyd	Lovrien	Yenter—27
Colbert	Gesman	Matthiesen	

The report of the conference committee on House File No. 134 and the amendments proposed by said conference committee 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 concurred in House amendments to Senate File No. 307, a bill for an act relating to the transfer of funds by the school district of Laurens, Pocahontas county, Iowa.

Also, that the Senate has adopted the report of the conference committee, and concurred in the amendments proposed therein, on House File No. 110, a bill for an act relating to school funds and bonds.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 312, a bill for an act relating to shares of stock in cooperative associations.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 310, a bill for an act relating to the government of cities and towns.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

Substitute for House File No. 178, a bill for an act relating to municipal corporations.

LEON W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENT TO HOUSE FILE NO. 310

Amend by striking out all of section two (2).

#### SENATE AMENDMENTS TO SUBSTITUTE FOR HOUSE FILE NO. 178

Amend section two (2), subsection four (4), by inserting a comma (,) after the word "playgrounds" and inserting the words "swimming pools".

Amend by striking from the bill section 3-a1, section 3-a2, and section 3-a3.

Amend section five (5) by striking from line six (6) the words "the third preceding section" and substituting in lieu thereof the words "section two (2) hereof".

#### SENATE MESSAGE CONSIDERED

Senate File No. 312, a bill for an act to amend, revise and codify section five thousand three hundred ninety-nine (5399) of the compiled code relating to shares of stock in cooperative associations.

Read first and second times and referred to committee on judiciary.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: Senate File No. 283.

#### HOUSE FILE NO. 298 INDEFINITELY POSTPONED

The report of the committee on House File No. 298, recommending indefinite postponement, found in the Journal of April 3d, was taken up for consideration.

Garber of Adair moved that the report of the committee be adopted.

Motion prevailed. The report was adopted and House File No. 298 was indefinitely postponed.

Henderson of Hamilton moved that the remarks by Hon. J. C. Mabry, delivered on April 5th, as a farewell address to the

members of the House, be made a matter of record and printed in the House Journal.

Motion prevailed.

#### REMARKS OF HON. J. C. MABRY

MR. SPEAKER AND MEMBERS OF THE HOUSE: I appreciate more than I can tell, the courtesy that you have extended to me of an opportunity to speak a few parting words to you on the eve of my departure from these legislative halls where we have labored together for almost four months.

The task we have been engaged upon for so long a time was not of our own choosing. It came to us unsought and we have labored faithfully upon it, inspired by the same lofty ideals that inspire you to render to the people of our beloved state the highest and best service of which we are capable.

At the beginning of this extra session we were called here to render you whatever assistance we could, in the task that was before you. I confess to you that we met some discouragement when we came and took up the task of aiding you as best we could in the performance of the duties our state had laid upon you. We realize that many of you came here with more or less feeling against code revision and with more or less suspicion of what the code commission had endeavored to do. We did not, and do not now, attach one word of blame to you for this feeling that any of you may have had at that time.

There had been so much misinformation spread throughout the state, through the press and otherwise, in regard to code revision, coupled with insinuations against the members of the code commission and suggesting that sinister influences had been at work resulting in "jokers" being worked into our code revision bills that it was perfectly natural that many of you would entertain feelings of doubt and suspicion. And we do not charge dishonest motives to any person or agency through which this kind of propaganda was spread, but it was a mere process of pursuing the course too often pursued in public matters, of giving voice to mere suspicion and stating it for the truth.

You came here and vigorously grappled with the task before you, determined to perform your patriotic duty to the people of our state. And now through conscientious, honest service you have almost reached the hour of final victory in giving the state of Iowa the best code revision it has ever had, a code of laws as clean and clear as any state ever had. You have performed for the state of Iowa the greatest task that has been performed for the last quarter of a century.

I wish I could in some way tell the people of the state what splendid servants they have selected in you to perform this work. I believe you will bear witness with me that you have found in the work of the code commission at least an honest endeavor to serve the people of the state and that our work, though far from perfect, has been clean and upright

and you have found none of those evidences of any sinister or corrupt influences that had crept into the work, as many of you had been led to believe you would find.

My long hard task has been finished, and I leave these legislative chambers with the highest feeling of regard for every member and I shall never forget the pleasant associations I have had with you, after we became acquainted with each other, and come to know each other's aspirations and ideals that have inspired us in this great work.

As a means of recuperation from the wear and tear of this hard service, it will be my privilege for a short period to take a journey into other lands and to try to get some rest for my tired and worn nerves. But I shall come back to our beloved land, I know, with greater feelings of pride for my own land, its flag, its great institutions and its splendid citizenship, than ever before.

I bid you God speed in finishing the splendid achievements for which you have labored so faithfully and I wish for you all, Mr. Speaker and members of the House, the choicest blessings Heaven holds in store for the best of his children.

On motion of Rust of Franklin the House adjourned until 9:30 a. m. Wednesday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 9, 1924.

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

Prayer was offered by the Rev. LeRoy Louis Weis, pastor of Capital Park M. E. church, Des Moines.

Journal of April 8th corrected and approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Harrison of Pottawattamie for the day, on request of Quirk of Sac; Rumley of Decatur for the forenoon, on request of Potts of Lee.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate File No. 307.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## CONFERENCE COMMITTEE REPORT CONSIDERED

The report of the conference committee on House File No. 69, found in the House Journal of April 7th, was taken up and considered.

Robson of Greene moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Aiken	Fackler	Lieberknecht	Sampson
Anderson of Webster	Frahm	Long	Saunders
Berry	Gallagher	McClune	Schirmer
Blake	Garber of Floyd	Mathews	Schulte
Blume	Gesman	Matthiesen	Scott of Appanoose
Bradley	Gibson	Miller	Scott of Fremont
Brady	Gilbertson	Moen	Slemmons
Brittain	Graham	Napier	Smith of Chickasaw
Buffington	Grimwood	Natvig	Smith of Lucas
Children	Hattendorf	Olson	Stock
Clark	Healy	Ontjes	Stookesberry
Colbert	Held	Orr	Strippel
Cole	Henderson	Parsons	Ulstad
Criswell	Himebauch	Peterson	Venard
Dewar	Hollis	Powers	Wamstad
Dooley	Huff	Quirk	Weber
Doolittle	Johnson	Ramsey	Williams
Dotts	King	Rankin	Wilson
Edge	Knutson	Rassler	Wolfe
Edson	Leonard	Rewoldt	Mr. Speaker—85
Elliott	Letts	Robson	
	Lichty	Rust	

The nays were, none.

Absent or not voting:

Carter	Gilmore	Lovrien	Rhinehart
Diltz	Hansen	Noble	Rumley
Donhowe	Harrison	O'Donnell	Storey
Forsling	Hauge	Oliver	Vincent
Garber of Adair	Hempel	Patterson	Yenter—23
Gilbert	Lake	Potts	

The report of the conference committee on House File No. 69 and the amendments proposed by said conference committee were adopted.

#### INTRODUCTION OF BILL

Unanimous consent having been obtained to suspend the rule prohibiting the introduction of bills at this time, the following bill was introduced:

House File No. 319, by Edson of Buena Vista, a bill for an act to amend section six (6) of chapter two hundred forty-six (246) of the acts of the Fortieth (40th) General Assembly (S. C. C. 3000-a1) relating to persons subject to poll tax in townships.

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

Sec. 1. That the law as it appears in section six (6) of chapter two hundred forty-six (246) of the laws of the Fortieth (40th) General Assembly (S. C. C. 3000-a1) be amended by striking from

line two (2) of said section the word "citizens" and by substituting in lieu thereof the word "residents".

Sec. 2. 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 the Des Moines Capital, newspapers published in Des Moines, Iowa.

Read first and second times.

By unanimous consent the bill was taken up for consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third readings of a bill on the same day, Edson of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lovrien	Sampson
Anderson of Webster	Garber of Adair Garber of Floyd	McClune Mathews	Saunders Schirmer
Berry	Gesman	Matthiesen	Schulte
Blake	Gibson	Miller	Scott of
Blume	Gilbertson	Moen	Appanoose
Bradley	Gilmore	Napjer	Scott of Fremont
Brady	Graham	Natvig	Slemmons
Brittain	Grimwood	Noble	Smith of
Buffington	Hattendorf	O'Donnell	Chickasaw
Children	Hauge	Oliver	Smith of Lucas
Colbert	Healy	Olson	Stock
Cole	Held	Ontjes	Stookesberry
Criswell	Henderson	Orr	Storey
Dewar	Hollis	Parsons	Strippel
Dooley	Huff	Patterson	Ulstad
Doolittle	Johnson	Peterson	Vincent
Dotts	Knutson	Powers	Wamstad
Edge	Lake	Quirk	Weber
Edson	Leonard	Ramsey	Williams
Elliott	Letts	Rankin	Wilson
Fackler	Lichty	Rassler	Wolfe
Forsling	Lieberknecht	Robson	Mr. Speaker—92
Frahm	Long	Rust	

The nays were, none.

Absent or not voting:

Carter	Gilbert	Himebauch	Rhinehart
Clark	Hansen	King	Rumley
Diltz	Harrison	Potts	Venard
Donhowe	Hempel	Rewoldt	Yenter—16

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## HOUSE REQUESTS RETURN OF SENATE FILE NO. 186

Doolittle of Delaware moved that the Senate be requested to return to the House for further consideration, Senate File No. 186.

Motion prevailed.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Elliott of Scott, House File No. 260, a bill for an act to amend, revise, and codify chapters two (2), three (3), four (4), and ten (10) of title six (6), and sections thirteen hundred thirty-five (1335) to thirteen hundred thirty-eight (1338), inclusive, thirteen hundred forty-six (1346) to thirteen hundred fifty-five (1355), inclusive, thirty-four hundred forty-seven (3447), thirty-four hundred forty-eight (3448), forty-one hundred fourteen (4114), forty-two hundred ten (4210), forty-two hundred eleven (4211), and forty-two hundred thirteen (4213) of the compiled code of Iowa, and chapters one (1) and five (5) of title six (6) of the compiled code of Iowa and the supplement to said code, and chapters one-A (1-A), four-A (4-A), nine-A (9-A), and eleven (11) of title six (6) of the supplement to the compiled code of Iowa, relating to public health, with Senate amendments, found in the House Journal of March 29th, was taken up and the amendments read and considered.

Elliott of Scott offered the following amendments to the Senate amendments and moved their adoption:

Amend the Senate amendments to House File No. 260 as follows:

(1) Strike out all of Senate amendment to section 1 and insert in lieu the following:

Amend section 1 by striking out all of subsections 5 and 5-a1 and inserting in lieu the following:

5. "Physician" shall mean a person licensed to practice medicine and surgery, osteopathy and surgery, osteopathy, or chiropractic under the laws of this state, but a person licensed as a physician and surgeon shall be designated as a "physician" or "surgeon", a person licensed as an osteopath and surgeon shall be designated as an "osteopathic physician" or "osteopathic surgeon", a person licensed as an osteopath shall be designated as an "osteopathic physician", and a person licensed as a chiropractor shall be designated as a "chiropractor".

(2) Amend Senate amendment to line 5 of section 2 by striking the words "or practitioner".

(3) Strike out Senate amendments to section fourteen.

(4) Strike out of the Senate amendment which adds section 27-a1, the words "and not more than one member shall be appointed from any one congressional district." and insert in lieu the following: ". Not more than one of such health officers shall be appointed from any one congressional district."

(5) Strike out all of Senate amendment to section 35 and insert in lieu thereof the following:

Amend section 35 by striking out all after the word "from" in line 2 and insert in lieu thereof the following: "any funds in the state treasury not otherwise appropriated."

Amendments to the Senate amendments adopted.

Children of Pottawattamic offered the following amendment to the Senate amendments and moved its adoption:

Amend the Senate amendments to House File No. 260 by striking therefrom the amendment to section 242-a2.

Amendment to the Senate amendments adopted.

Elliott of Scott moved that the House concur in the Senate amendments, as amended.

On the question "Shall the House concur?"

The ayes were:

Aiken	Frahm	Lichty	Rewoldt
Anderson of	Garber of Adair	Lieberknecht	Rhinehart
Webster	Garber of Floyd	Long	Robson
Berry	Gesman	Lovrien	Rust
Blake	Gibson	McClune	Sampson
Blume	Gilbert	Mathews	Schirmer
Bradley	Gilbertson	Matthiesen	Schulte
Brady	Gilmore	Moen	Scott of
Brittain	Graham	Napier	Appanoose
Buffington	Grimwood	Natvig	Scott of Fremont
Carter	Hansen	Noble	Slemmons
Children	Hattendorf	O'Donnell	Smith of
Colbert	Hauge	Oliver	Chickasaw
Cole	Healy	Olson	Smith of Lucas
Criswell	Held	Ontjes	Stock
Dewar	Hempel	Orr	Stookesberry
Diltz	Henderson	Parsons	Storey
Donhowe	Himebauch	Patterson	Strippel
Dooley	Hollis	Peterson	Ulstad
Doolittle	Huff	Potts	Wamstad
Dotts	Johnson	Quirk	Williams
Edge	King	Ramsey	Wilson
Edson	Knutson	Rankin	Wolfe
Elliott	Leonard	Rassler	Mr. Speaker—95
Fackler	Letts		

The nays were:

Gallagher Miller Weber—3

Absent or not voting:

Clark Lake Saunders Vincent  
Forsling Powers Venard Yenter—10  
Harrison Rumley

The House concurred in the Senate amendments, as amended, to House File No. 260.

On request of Forsling of Woodbury, House File No. 310, a bill for an act to amend, revise, and codify section forty-two hundred ninety-two (4292) of the compiled code relating to the government of cities and towns, with Senate amendment, found in the House Journal of April 8th, was taken up and the amendment read and considered.

Mr. Forsling moved that the House concur in the Senate amendment.

On the question "Shall the House concur?"

The ayes were:

Aiken	Gallagher	Long	Robson
Anderson of	Garber of Adair	Lovrien	Saunders
Webster	Garber of Floyd	McClune	Schirmer
Berry	Gesman	Mathews	Schulte
Blake	Gibson	Matthiesen	Scott of
Blume	Gilbert	Miller	Appanoose
Bradley	Gilbertson	Moen	Scott of Fremont
Brady	Gilmore	Napier	Slemmons
Brittain	Graham	Natvig	Smith of
Buffington	Hattendorf	Noble	Chickasaw
Carter	Hauge	O'Donnell	Smith of Lucas
Children	Held	Oliver	Stock
Colbert	Hempel	Olson	Stookesberry
Criswell	Henderson	Ontjes	Storey
Dewar	Himebauch	Orr	Strippel
Diltz	Hollis	Parsons	Ulstad
Donhowe	Huff	Patterson	Venard
Dooley	Johnson	Peterson	Vincent
Doolittle	King	Potts	Wamstad
Dotts	Knutson	Powers	Weber
Edge	Leonard	Quirk	Williams
Elliott	Letts	Ramsey	Wilson
Fackler	Lichty	Rankin	Wolfe
Forsling	Lieberknecht	Rhinehart	Mr. Speaker—94
Frahm			

The nays were, none.

Absent or not voting:

Clark	Hansen	Rassler	Rust
Cole	Harrison	Rewoldt	Sampson
Edson	Healy	Rumley	Yenter—14
Grimwood	Lake		

The House concurred in the Senate amendment to House File No. 310.

On request of Forsling of Woodbury, Substitute for House File No. 178, a bill for an act to amend, revise, and codify sections four thousand fifty-four (4054) to four thousand fifty-eight (4058), inclusive, three thousand seven hundred twenty-two (3722) to three thousand seven hundred twenty-four (3724), inclusive, three thousand seven hundred thirty-five (3735), three thousand seven hundred forty-two (3742) to three thousand seven hundred forty-four (3744), inclusive, three thousand seven hundred seventy-three (3773), three thousand seven hundred seventy-four (3774), and three thousand seven hundred seventy-eight (3778) of the compiled code of Iowa, and sections four thousand fifty-nine (4059), and three thousand six hundred thirty-eight (3638) of the supplement to said code, relating to municipal corporations, with Senate amendments, found in the House Journal of April 8th, was taken up and the amendments read and considered.

Mr. Forsling 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:

Aiken	Gallagher	Lieberknecht	Rhinehart
Anderson of	Garber of Adair	Long	Robson
Webster	Garber of Floyd	Lovrien	Rust
Berry	Gesman	McClune	Saunders
Blake	Gibson	Mathews	Schirmer
Blume	Gilbert	Miller	Schulte
Bradley	Gilbertson	Moen	Scott of
Brady	Gilmore	Napier	Appanoose
Brittain	Graham	Natvig	Scott of Fremont
Buffington	Graham	Noble	Slemmons
Carter	Hattendorf	O'Donnell	Smith of
Children	Healy	Oliver	Chickasaw
Colbert	Held	Olson	Smith of Lucas
Cole	Hempel	Ontjes	Stock
Criswell	Henderson	Orr	Stookesberry
Dewar	Himebauch	Parsons	Strippel
Donhowe	Hollis	Patterson	Venard
Dooley	Huff	Peterson	Vincent
Doolittle	Johnson	Potts	Wamstad
Dotts	King	Powers	Weber
Edge	Knutson	Quirk	Williams
Edson	Leonard	Ramsey	Wilson
Elliott	Letts	Rassler	Wolfe
Fackler	Lichty	Rewoldt	Mr. Speaker—94
Forsling			

## Absent or not voting:

Clark	Harrison	Rankin	Storey
Diltz	Hauge	Rumley	Ulstad
Frahm	Lake	Sampson	Yenter—14
Hansen	Matthlesen		

The House refused to concur in the Senate amendments to Substitute for House File No. 178.

## 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 concurrence of the Senate was asked:

House File No. 312, a bill for an act to authorize the issuance of a patent to certain lands in Winnebago county, Iowa, to William E. Cox.

Also, that the Senate has adopted and concurred in the House amendments to Concurrent Resolution No. 17, a resolution relating to the purchase of certain lands by the state.

Also, 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 to provide for the preparation and printing of the session laws of the extra session of the Fortieth General Assembly, and to provide appropriation therefor.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 307, a bill for an act to legalize certain acts of the Keokuk & Hamilton Mississippi River Bridge Company relating to renewal of the articles of consolidation, etc.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 311, a bill for an act to legalize certain acts and proceedings of the board of supervisors of Winnebago county, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 287, a bill for an act to appropriate sufficient funds to pay the drainage assessments and accrued interest against the State in connection with the drainage of Tow Head Lake in Calhoun county, and to make the amount of such assessments and interest a lien against said lands in case the state is found not to be the owner thereof.

Also, 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 the rules and regulations of motor carriers and providing penalty for the violation of the statutes, rules and regulations promulgated thereunder.

Also, that the Senate has adopted the report of the first conference committee on House File No. 213, a bill for an act relating to marriage and

incest, and that the President has appointed as the second conference committee on the part of the Senate, Senators Holdoegel, Abben, Hartman, and Newberry.

Also, that the Senate has adopted the conference committee report and concurred in the amendments proposed therein, on House File No. 220, a bill for an act relating to municipal courts.

Also, that the Senate has adopted the conference committee report and concurred in the amendments proposed therein, on Senate File No. 9, a bill for an act relating to appropriations and the drawing and expenditure thereof, and to certain powers and duties of the treasurer of state, and to the security of the public funds.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 262, a bill for an act relating to the practice of certain professions affecting the public health.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 289, a bill for an act relating to the preparation, publication, use, custody, sale, and distribution of the laws of the state, etc.

LEON W. AINSWORTH, *Secretary*.

#### REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 9

MR. SPEAKER: Your conference committee on Senate File No. 9 recommends that the differences now existing between the House and the Senate on said bill be adjusted as follows:

1. The House shall recede from its amendments to said bill.
2. By amending the bill as follows:
  - (1) After section 2 of the bill insert the following sections:

That sections 4769-a1 to 4769-a5 of the supplement to the compiled code are amended, revised, and codified to read as follows:

Sec. 2-a1. State funds—duty of county treasurer.

The treasurer of each county shall, on or before the fifteenth day of each month, prepare sworn statements of the amount of money in his hands on the last day of the preceding month belonging to the state treasury, not including primary road funds or motor vehicle funds, and forward by mail, one such statement to the auditor of state, and one such statement to the treasurer of state.

Sec. 2-a2. Payment to state treasurer.

The treasurer of each county shall also, at any time when directed by the treasurer of state as hereafter provided, forthwith pay into state treasury any or all of the said money due the state and remaining in his hands. The treasurer of state is hereby required to receive on all such payments the same kind of money and notes which the county treasurer is authorized and required by law to receive in payment of taxes.

Sec. 2-a3. Cash balance.

The treasurer of state shall not draw on the funds in any county treasury so long as the receipts from all sources, not including primary road funds, belonging to the state, are sufficient to maintain in the state treasury and authorized depositories in the aggregate, a cash balance of two million dollars (\$2,000,000.00).

Sec. 2-a4. Restoration of cash balance.

When said cash balance is reduced below two million dollars (\$2,000,000.00) the treasurer of state may draw upon each county treasurer in proportion to the amount in their possession, a sum sufficient in the aggregate to increase said cash balance to an amount not to exceed three million dollars (\$3,000,000.00).

Sec. 2-a5. Penalty.

In case the treasurer of any county shall fail to prepare and forward the aforesaid statement, or shall fail to promptly honor any draft by the treasurer of state as provided in the preceding section, he shall forfeit and pay for each and every failure, a sum not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00), to be recovered in an action on the treasurer's bond, brought in the name of the state auditor or the treasurer of state.

(2) Amend the title by striking the period (.) in line eight (8) and adding the following: "and sections forty-seven hundred, sixty-nine-a one (4769-a1) to forty-seven hundred sixty-nine-a five (4769-a5) of the supplement to the compiled code relating to the duty of the county treasurer and treasurer of state relative to state funds."

H. RUST,  
F. C. SAMPSON,  
S. E. FACKLER,  
M. L. HENDERSON,  
*House Conferees.*

T. C. CESSNA,  
BEN ABBEN,  
GEO. B. PERKINS,  
G. S. HARTMAN,  
*Senate Conferees.*

SENATE AMENDMENTS TO HOUSE FILE NO. 289

(1) Amend by inserting in section 10 following subsection 16 the following as subsection 17:

"17. To J. H. Trewin and J. C. Mabry, code commissioners, each . . 1 copy."

(2) Amend section 21 by striking therefrom paragraph 5 and substituting the following in lieu thereof:

"5. To prepare and cause to be published immediately following the issuance of the code in nineteen hundred twenty-seven (1927), and each four years thereafter, a volume which shall by proper annotations, show the construction placed by the supreme court of this state and the federal

courts on all statutes of this state since the then existing permanent volume of annotations. The edition of nineteen hundred thirty-one (1931) and all subsequent volumes shall constitute a cumulation of the edition of nineteen hundred twenty-seven (1927) and so continued until said cumulation shall reach a size sufficient for a permanent volume."

(3) Amend by inserting in the second line preceding section 25 and immediately after the parenthetical expression "(241-a38)" the following: "and section two hundred forty-one-a fifty-seven (241-a57)".

(4) Amend the title by inserting immediately after the parenthetical expression "(241-a38)" the following: "and section two hundred forty-one-a fifty-seven (241-a57)".

(5) Amend section 25, line 2, paragraph 7 by inserting after the word "annotations" the words "tables of corresponding sections".

#### SENATE AMENDMENTS TO HOUSE FILE NO. 262

Amend section 5 by striking out the words "and the president of examining boards."

Amend section 14, line 5, immediately following the word "licensed" by striking out the words "osteopath or an".

Amend section 19 by striking out of line 1 the words ", or its board of trustees,".

Amend section 30, line 7, by inserting immediately after the word "board" the words "together with the commissioner of health".

Amend section 71 by inserting in line 5 of subsection 1 following the word "learning" the words "recognized by any of the respective boards in this chapter named or by an institution of learning", and by inserting in line 8 of subsection 2 following the word "learning" the words "recognized by any of the respective boards in this chapter named or by an institution of learning".

Amend section 71, lines 5 and 6, and 8 and 9 by striking out the words "society or association" where same appear in said lines and insert in lieu thereof the following "or national accrediting agency".

Amend section 72 by striking out the period (.) at the end of said section and inserting in lieu thereof the following: "at places other than his office maintained at the place of his residence."

Amend section 79, lines 7 and 8, by striking out the words and figures "seventy dollars (\$70.00)" and inserting in lieu the following: "fifty dollars (\$50.00)".

Amend section 79, lines 16 and 17, by striking out the words and figures "fifty dollars (\$50.00)" and inserting in lieu the following: "forty dollars (\$40.00)".

Amend by striking out all of section 80.

Amend section 81 by striking out of lines 2 and 3 the words ", at the next regular meeting of the examining board,". Also by striking the period (.) at the end of line 3 and inserting in lieu the following: "at any time within a period of twelve (12) months after the first examination."

Amend by inserting the following:

"Sec. 83. Injunction against illegal practice.

Any person engaging in any business or in the practice of any profession for which a license is required by this title without such license may be restrained by permanent injunction."

Amend chapter one (1) by inserting at the end thereof the following:

"Sec. 92-a7. Additional renewal fee for pharmacy association.

The secretary of the pharmacy examiners shall annually add one dollar (\$1.00) to the renewal fee provided in this chapter for a person licensed to practice pharmacy. Such additional amount shall be considered as a part of the regular renewal fee and payment of the same shall be a prerequisite to the renewal of his license. The funds derived from the additional renewal fee collected under this section shall be paid to the state pharmacy association upon the order of its treasurer and secretary. Said funds shall be used by such association in the advancement of the art and science of pharmacy."

Amend by striking out sections 92-a1 to 92-a5, inclusive, and inserting in lieu the following:

"Sec. 92-a1. Licensing of pharmacists, chiropractors, and osteopaths.

The provision of this chapter relative to the making of application for a license, the issuance of a license, the negotiation of reciprocal agreements for recognition of foreign licenses, the collection of license and renewal fees, and the preservation of records shall not apply to the licensing of persons to practice pharmacy, chiropractic, "osteopathy", or "osteopathy and surgery", but such licensing shall be governed by the following regulations:

1. Every application for a license to practice such a profession shall be made direct to the secretary of the examining board for such profession.

2. Such license and all renewals thereof shall be issued by the examining board for such profession.

3. Every reciprocal agreement for the recognition of any such license issued in another state shall be negotiated by the examining board for such profession.

4. All license and renewal fees exacted from persons licensed to practice any such profession shall be paid to and collected by the secretary of the examining board for such profession.

5. All records in connection with the licensing of pharmacists, chiropractors, "osteopaths", and "osteopaths and surgeons" shall be kept by the secretary of the respective examining boards for such professions, but all records not needed for the current use of such boards shall be deposited with the department of health.

Sec. 92-a2. Certification of licenses and renewals.

After each examination the secretary of the examining board for pharmacy, chiropractic, "osteopathy" and "osteopathy and surgery" shall

certify to the department of health in the manner prescribed by the department the names of all persons licensed by the board of which he is secretary. The department shall then make the required entry in the registry book as provided in section eight (8). On July first each year, or as soon as practical thereafter, the secretary of each of the above boards shall certify to the department a list of practitioners licensed by the board of which he is secretary, who have paid their renewal fees and are in good standing.

Sec. 92-a3. Regulations governing certain examining boards.

In discharging the duties and exercising the powers provided for in the two preceding sections the several examining boards and their secretaries shall be governed by all the provisions of this chapter which govern the department of health when discharging a similar duty or exercising a similar power with reference to any of the professions regulated by this title.

Sec. 92-a4. Clerical help and supplies.

Subject to the approval of the executive council, the examining boards for pharmacy, chiropractic, "osteopathy" and "osteopathy and surgery" may employ such clerical assistance as may be necessary to enable said board to perform the duties imposed upon them by law. Payment for such assistance shall be made out of the appropriation provided for in section twenty-four (24). The executive council shall also furnish said boards with the necessary quarters and all articles and supplies required for the public use and the provisions of section twenty-five (25) shall not apply to said boards.

Sec. 92-a5. Secretary of pharmacy examiners.

The pharmacy examiners shall have the right to employ a full time secretary who shall not be a member of the examining board at such compensation as may be fixed from time to time in the biennial salary act. The provisions of section twenty-one (21) providing for a secretary for each examining board shall not apply to the pharmacy examiners.

Sec. 92-a6. Duties of secretary of pharmacy examiners.

The secretary of the pharmacy examiners shall, upon the direction of said examiners, make inspections of alleged violations of the provisions of this title relative to the practice of pharmacy and of chapters nine (9) and ten (10) of House File two hundred sixty-one-A (261-A), special session, fortieth general assembly. Said secretary shall furnish the department of health with any information obtained by him with reference to any violation of the provisions of this title relative to the practice of pharmacy. He shall be allowed his necessary traveling and hotel expenses in making such inspections, which shall be paid out of the appropriation provided for in section twenty-four (24)."

Amend section 129, line 3, immediately after the word "means" by inserting the words "other than drugs".

Also amend section 129, line 4, by striking out the words "other than drugs".

Amend by striking section 130 and inserting in lieu the following:

"Sec. 130. Persons not engaged in the practice of optometry.

The preceding section shall not be construed to include the following classes:

1. Merchants or dealers who sell glasses as merchandise in an established place of business and who do not profess to be optometrists or practice optometry as herein defined.

2. Licensed physicians and surgeons who employ means for the measurement of the powers of vision of the human eyes and adapt lenses for aiding the same as an incident to the general practice of their professions."

Amend by inserting the following:

"Sec. 138. Requirements for approved college.

No college of pharmacy shall be approved by the pharmacy examiners as a college of recognized standing unless the entrance and graduation requirements are equivalent to those prescribed by the American conference of pharmaceutical faculties for the year nineteen hundred seventeen (1917)."

#### CONSIDERATION OF BILLS

Senate File No. 183, a bill for an act to amend, revise, and codify sections four thousand four hundred eighty-three (4483) to four thousand four hundred eighty-seven (4487), inclusive, four thousand five hundred eight (4508), four thousand five hundred nine (4509), four thousand five hundred ten (4510), four thousand five hundred eleven (4511), four thousand five hundred thirteen (4513), four thousand five hundred sixty-seven (4567), four thousand six hundred seventeen (4617), four thousand six hundred nineteen (4619), four thousand six hundred twenty (4620), and four thousand six hundred ninety-three (4693) of the compiled code of Iowa, and sections four thousand four hundred eighty-two (4482), four thousand four hundred ninety-three (4493), four thousand four hundred ninety-nine (4499), four thousand four hundred ninety-nine-a one (4499-a1), four thousand five hundred (4500), and four thousand six hundred nine (4609) of the supplement to said code, relating to taxation, and to provide an additional millage tax upon certain property, with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of April 8th, were taken up and considered.

A division of committee amendment No. 2 was asked for.

On motion of Moen of Lyon the committee amendment to subsection 1 of section 1 was adopted.

Patterson of Kossuth moved the adoption of the committee amendment to subsection 6 of section 1.

Anderson of Webster moved the previous question on the committee amendment to subsection 6 of section 1.

Motion prevailed.

On the question "Shall the committee amendment to subsection 6 of section 1 be adopted?" a roll call was demanded.

The ayes were:

Bradley	Garber of Floyd	Natvig	Sampson
Buffington	Gilmore	O'Donnell	Saunders
Clark	Graham	Oliver	Schulte
Cole	Grimwood	Olson	Scott of Fremont
Dewar	Hansen	Patterson	Smith of Lucas
Doolittle	Hollis	Powers	Venard
Edge	Johnson	Quirk	Vincent
Edson	King	Ramsey	Wamstad
Elliott	Letts	Rewoldt	Weber
Forsling	Long	Rhinehart	Williams
Gallagher	McClune	Robson	Wilson—47
Garber of Adair	Millef	Rust	

The nays were:

Aiken	Fackler	Lake	Rankin
Anderson of Webster	Frahm	Leonard	Rassler
Berry	Gesman	Lichty	Schirmer
Blake	Gibson	Lieberknecht	Scott of Appanoose
Blume	Gilbertson	Mathews	Slemmons
Brady	Hattendorf	Matthiesen	Smith of Chickasaw
Brittain	Hauge	Moen	Stock
Carter	Healy	Napier	Stookesberry
Children	Held	Noble	Storey
Colbert	Hempel	Ontjes	Strippel
Criswell	Henderson	Orr	Ulstad
Diltz	Himebauch	Parsons	Wolfe
Donhowe	Huff	Peterson	Mr. Speaker—58
Dooley	Knutson	Potts	
Dotts			

Absent or not voting:

Harrison	Rumley	Yenter—3
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Committee amendment to subsection 6 of section 1 was rejected.

On motion of Vincent of Guthrie the committee amendment to subsection 11 of section 1 was adopted.

Vincent of Guthrie offered the following amendment to committee amendment No. 3 and moved its adoption:

Amend committee amendment No. 3 to Senate File No. 183 by adding thereto the following: "Also, amend line 2 by changing the word 'is' to 'are'."

Amendment to committee amendment No. 3 was adopted.

On motion of Vincent of Guthrie committee amendment No. 3, as amended, was adopted.

On motion of Henderson of Hamilton committee amendments Nos. 1, 4 and 5 were adopted.

Vincent of Guthrie offered the following amendment to committee amendment No. 6 and moved its adoption:

Amend committee amendment No. 6 by striking out the word "and" preceding the word "cities" in line 5 thereof and inserting in lieu thereof the word "or"; also, amend by striking out the word "the" preceding the word "book" in line 5 thereof and inserting in lieu thereof the article "a".

Amendment to committee amendment No. 6 was adopted.

On motion of Vincent of Guthrie committee amendment No. 6, as amended, was adopted.

On motion of Vincent of Guthrie committee amendments Nos. 7, 8 and 9 were adopted.

Patterson of Kossuth offered the following amendment to committee amendment No. 10 and moved its adoption:

Amend committee amendment No. 10 to Senate File No. 183 by striking therefrom the following sentence:

"Actual value of property as used in this title shall mean its value in the market in the ordinary course of trade."

On motion of Elliott of Scott the House adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### BUSINESS PENDING

The House resumed consideration of Senate File No. 183.

The question before the House was on the amendment offered by Patterson of Kossuth to committee amendment No. 10.

Gallagher of Iowa offered the following amendment as a substitute for committee amendment No. 10 and the pending amendment thereto:

Amend by adding after section 29 the following:

That section four thousand five hundred eighty-four (4584) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 30. Actual value as basis of taxation—how determined.

All property subject to taxation shall be listed at its actual value in the ordinary course of trade. The assessed value shall be the value as fixed by the assessor as the actual value. The taxable value, except as otherwise provided, shall be twenty-five per cent (25%) of the assessed value.

On the question "Shall the amendment offered by Gallagher of Iowa be substituted for committee amendment No. 10 and the pending amendment thereto?" a roll call was demanded.

The ayes were:

Clark	Hansen	O'Donnell	Rumley
Edge	Long	Potts	Weber—11
Gallagher	Matthiesen	Rhinehart	

The nays were:

Aiken	Garber of Adair	Lieberknecht	Saunders
Anderson of	Garber of Floyd	Lovrien	Schirmer
Webster	Gesman	McClune	Schulte
Berry	Gibson	Mathews	Scott of
Blake	Gilbert	Miller	Appanoose
Blume	Gilbertson	Moen	Scott of Fremont
Bradley	Gilmore	Napier	Slemmons
Brady	Grimwood	Natvig	Smith of
Brittain	Hattendorf	Noble	Chickasaw
Buffington	Hauge	Oliver	Smith of Lucas
Carter	Held	Olson	Stock
Children	Hempel	Ontjes	Stookesberry
Colbert	Henderson	Orr	Storey
Criswell	Himebauch	Parsons	Strippel
Dewar	Hollis	Patterson	Ulstad
Donhowe	Huff	Powers	Venard
Dooley	Johnson	Quirk	Vincent
Doolittle	King	Ramsay	Wamstad
Dotts	Knutson	Rassler	Williams
Edson	Lake	Rewoldt	Wilson
Elliott	Leonard	Robson	Wolfe
Fackler	Letts	Rust	Yenter
Frahm	Lichty	Sampson	Mr. Speaker—89

Absent or not voting:

Cole	Forsling	Harrison	Peterson
Diltz	Graham	Healy	Rankin—8

The House refused to substitute the amendment offered by Gallagher of Iowa for committee amendment No. 10 and the pending amendment thereto.

On the question "Shall the amendment offered by Patterson of Kossuth to committee amendment No. 10 be adopted?" a roll call was demanded.

The ayes were:

Aiken	Frahm	McClune	Sampson
Anderson of Webster	Garber of Adair Garber of Floyd	Mathews Miller	Saunders Schirmer
Berry	Gesman	Moen	Schulte
Blake	Gibson	Napier	Scott of
Blume	Gilbert	Natvig	Appanoose
Bradley	Gilbertson	O'Donnell	Scott of Fremont
Brady	Hansen	Oliver	Slemmons
Brittain	Hattendorf	Olson	Smith of Lucas
Buffington	Hauge	Ontjes	Stock
Carter	Held	Orr	Stookesberry
Children	Henderson	Parsons	Storey
Colbert	Himebauch	Patterson	Strippel
Criswell	Hollis	Peterson	U'lstad
Dewar	Huff	Powers	Venard
Donhowe	Johnson	Quirk	Vincent
Dooley	King	Rankin	Wamstad
Dotts	Leonard	Rassler	Williams
Edge	Letts	Rewoldt	Wilson
Edson	Lichty	Robson	Wolfe
Elliott	LieBerknecht	Rust	Mr. Speaker—84
Fackler	Lovrien		

The nays were:

Clark	Grimwood	Long	Rhinehart
Cole	Healy	Matthiesen	Rumley
Doolittle	Hempel	Noble	Weber
Gallagher	Knutson	Potts	Yenter—19
Graham	Lake	Ramsey	

Absent or not voting:

Diltz	Gilmore	Smith of
Forsling	Harrison	Chickasaw—5

The amendment offered by Patterson of Kossuth to committee amendment No. 10 was adopted.

On motion of Patterson of Kossuth committee amendment No. 10, as amended, was adopted.

Wamstad of Mitchell offered the following amendment and moved its adoption:

Amend Senate File No. 183 as follows:

By striking from section 12 all following the word "earnings" in line 15.

Also amend by adding as section 15 the following:

Sec. 15. Bank stocks—moneyed capital—taxation.

State, savings and national bank stock and loan and trust company stock and moneyed capital in competition with banks shall be assessed and

taxed upon the taxable value of seventeen per cent (17%) of the actual value thereof, determined as herein provided, which seventeen per cent (17%) of the actual value shall be taken and considered as the taxable value and shall be taxed as other property in such taxing district.

Forsling of Woodbury moved the previous question on the amendment offered by Wamstad of Mitchell.

Motion prevailed.

On the question "Shall the amendment offered by Wamstad of Mitchell be adopted?" a roll call was demanded.

The ayes were:

Aiken	Huff	Napier	Rewoldt
Brittain	King	Oliver	Rhinehart
Children	Leonard	Patterson	Wamstad—14
Frahm	Moen		

The nays were:

Berry	Gibson	Lovrien	Saunders
Blake	Gilbert	Mathews	Schirmer
Blume	Gilbertson	Matthiesen	Schulte
Bradley	Gilmore	Miller	Scott of
Brady	Graham	Noble	Appanoose
Buffington	Grimwood	O'Donnell	Scott of Fremont
Clark	Hansen	Olson	Slemmons
Colbert	Hattendorf	Ontjes	Smith of
Cole	Hauge	Orr	Chickasaw
Criswell	Healy	Parsons	Smith of Lucas
Diltz	Held	Peterson	Stock
Donhowe	Hempel	Potts	Stokesberry
Dooley	Henderson	Powers	Storey
Doolittle	Hollis	Quirk	Strippel
Dotts	Johnson	Ramsey	Venard
Edge	Knutson	Rankin	Vincent
Edson	Lake	Rassler	Weber
Elliott	Letts	Robson	Wilson
Forsling	Lichty	Rumley	Wolfe
Gallagher	Lieberknecht	Rust	Yenter
Garber of Floyd	Long	Sampson	Mr. Speaker—83
Gesman			

Absent or not voting:

Anderson of	Dewar	Harrison	Natvig
Webster	Fackler	Himebauch	Ulstad
Carter	Garber of Adair	McClune	Williams—11

Amendment offered by Wamstad of Mitchell was rejected.

#### MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 90, a bill for an act relating to the state board of education.

LEON W. AINSWORTH, *Secretary.*

#### SENATE AMENDMENTS TO HOUSE FILE NO. 90

Amend section one (1) by inserting after the word "each" in line 5 the words "of the institutions of higher learning,".

Amend by striking out section 32 and inserting in lieu thereof the following:

"Sec. 32. Payment.

The contract for such instruction shall authorize the payment for such service furnished the school district or for such service furnished the state, the amount to be agreed upon by the state board of education and the board of the school district thus cooperating."

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 172 and 254.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 172 and 254; Senate File No. 307.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this ninth day of April, 1924, sent to the Governor for his approval:

House Files Nos. 172 and 254.

C. F. LETTS, *Chairman.*

Report adopted.

#### INTRODUCTION OF BILL

Unanimous consent having been obtained to suspend the rule

prohibiting the introduction of bills, the following bill was introduced:

House File No. 320, by Children of Pottawattamie, a bill for an act relating to jurisdiction in juvenile court cases in cities wherein a municipal court is established.

Read first and second times and passed on file.

#### AMENDMENTS FILED

Clark of Linn and Wolfe of Linn filed the following amendments to the committee amendments to Senate File No. 121, and to the main bill:

Amend by substituting for amendment No. 14, proposed by the House committee on roads and highways, the following:

(14) Amend said Senate File No. 121 by striking out all of sections 53 and 54.

Also amend section 51 of said bill by inserting after the word "county" in line 2 thereof, the words "having a population of more than seventy thousand (70,000)".

Also amend section 56 of said bill by striking out of lines 4 and 5 thereof the words "which will not conflict with the federal aid law".

Clark of Linn filed the following amendment to Senate File No. 183:

Amend section twenty-nine (29) of Senate File No. 183 by striking from lines one (1) and two (2) the following words: "for the city council of any city or town, including cities under special charter, or".

Brittain of Madison moved that the House adjourn until 9:30 a. m. Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 10, 1924.

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

Prayer was offered by the Rev. Louis E. Watson, pastor of the Wesley M. E. church, Des Moines.

Journal of April 9th corrected and approved.

## REPORT OF COMMITTEE

Long of Jefferson, from the committee on public lands and buildings, submitted the following report:

MR. SPEAKER: Your committee on public lands and buildings to whom was referred House File No. 315, a bill for an act to authorize the executive council to sell certain property of the state and buy other 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, and when so amended the bill do pass:

(1) Amend section 2 by striking out all of said section and substituting the following therefor:

"Sec. 2. Upon the sale of said real estate described in section one (1), the proper officers of the state are hereby authorized and directed to execute proper conveyances therefor, and that the proceeds of said sale be paid into the general funds of the state."

(2) Amend section 3 by striking out of the second line thereof the following words, to-wit: "or purchase other lots or parcels of ground".

WM. L. LONG, *Chairman.*

Report adopted.

## INTRODUCTION OF BILL

House File No. 321, by McClune of Mahaska, a bill for an act to legalize the establishment of the County Area Tuberculosis Eradication Plan in the several counties of the state and the proceedings of boards of supervisors, county auditors, county treasurers, and the secretary of agriculture in the establishment of such

areas, the levy, spreading, and collection of taxes therefor as is provided in chapter forty-eight (48) of the laws of the Fortieth (40th) General Assembly of Iowa.

Read first and second times and referred to committee on judiciary.

#### INTRODUCTION OF JOINT RESOLUTION

House Joint Resolution No. 6, by Children of Pottawattamie, joint resolution proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, relating to the apportionment of the state into senatorial districts.

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

Section 1. That the following amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa be and the same is hereby proposed:

That the period (.) at the end of said section thirty-four (34) of article three (3) of the constitution of the state of Iowa be stricken and the following inserted: “, but no county shall be entitled to more than one (1) senator.”

Sec. 2. Be It Further Resolved that the foregoing proposed amendment be and the same is hereby referred to the legislature to be chosen at the next general election for members of the next general assembly, and that the secretary of state cause the same to be published for three (3) months previous to the date of said election as provided by law.

Read first and second times and referred to committee on constitutional amendments.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Harrison of Pottawattamie, House File No. 289, a bill for an act to amend, revise, and codify chapters five (5) and six (6) of title one (1) and section fifty-eight (58) of the compiled code of Iowa and sections forty-three-a one (43-a1), forty-three-a two (43-a2), forty-three-a five (43-a5), forty-three-a six (43-a6), fifty-seven-a one (57-a1) to fifty-seven-a three (57-a3), inclusive, fifty-nine (59), sixty (60), one hundred seventy-five-a four (175-a4) to one hundred seventy-five-a nine (175-a9), inclusive, one hundred seventy-five-a twelve (175-a12), one hundred seventy-five-a thirteen (175-a13), and two hundred forty-one-a

thirty-eight (241-a38) of the supplement to said code, relating to the preparation, publication, use, custody, sale, and distribution of the laws of the state and of other publications of a legal nature, and to the powers and duties of the reporter of the supreme court, state printing board, superintendent of printing, and other public officers, with reference to such laws and publications, with Senate amendments, found in the House Journal of April 9th, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Alken	Gallagher	Lichty	Rhinehart
Anderson of Webster	Garber of Adair Garber of Floyd	Lieberknecht Long	Robson Rust
Berry	Gesman	McClune	Sampson
Blake	Gibson	Mathews	Schirmer
Blume	Gilbert	Matthiesen	Schulte
Bradley	Gilbertson	Miller	Scott of Appanoose
Brady	Gilmore	Moen	Scott of Fremont
Brittain	Graham	Napier	Slemmons
Buffington	Grimwood	Natvig	Smith of Chickasaw
Carter	Harrison	Noble	Smith of Lucas
Children	Hattendorf	O'Donnell	Stock
Colbert	Held	Oliver	Stookesberry
Cole	Hempel	Ontjes	Strippel
Criswell	Henderson	Orr	Ulstad
Dewar	Himebauch	Parsons	Venard
Diltz	Hollis	Peterson	Vincent
Dooley	Huff	Potts	Weber
Doolittle	Johnson	Powers	Williams
Dotts	King	Quirk	Wilson
Edge	Knutson	Ramsey	Wolfe
Edson	Lake	Rankin	Mr. Speaker—94
Elliott	Leonard	Rassler	
Fackler	Letts	Rewoldt	
Frahm			

The nays were, none.

Absent or not voting:

Clark	Hauge	Patterson	Storey
Donhowe	Healy	Rumley	Wamstad
Forsling	Lovrien	Saunders	Yenter—14
Hansen	Olson		

The House concurred in the Senate amendments to House File No. 289.

On request of Potts of Lee, House File No. 8, a bill for an act to amend, revise, and codify subsection seven (7) of section one

hundred eighteen (118), sections one hundred twenty-seven (127) to one hundred thirty-one (131), inclusive, one hundred thirty-three (133), one hundred thirty-four (134), one hundred thirty-six (136), two hundred seventy-four (274) and seven hundred twenty-five (725) of the compiled code of Iowa, and sections one hundred thirty-two (132) and one hundred thirty-five (135) of the supplement to said code, relating to certain duties of the auditor of state and to uniform system of accounts of public corporations and organizations, and to the examination of such accounts, with Senate amendments, found in the House Journal of April 3d, was taken up and the amendments read and considered.

Mr. Potts moved that the House refuse to concur in the Senate amendment to section 5.

On the question "Shall the House concur?"

The ayes were:

Dooley	Johnson	Ontjes	Stookesberry—8
Held	Lieberknecht		

The nays were:

Anderson of Webster	Garber of Adair Garber of Floyd	McClune Mathews	Schirmer Schulte
Berry	Gesman	Matthiesen	Scott of
Blake	Gibson	Moen	Appanoose
Blume	Gilmore	Napler	Scott of Fremont
Bradley	Graham	Natvig	Slemmons
Brady	Grimwood	Noble	Smith of
Brittain	Harrison	O'Donnell	Chickasaw
Buffington	Hattendorf	Oliver	Smith of Lucas
Carter	Hempel	Orr	Stock
Colbert	Henderson	Parsons	Strippel
Criswell	Himebauch	Potts	Venard
Dewar	Hollis	Powers	Vincent
Doolittle	King	Quirk	Weber
Dotts	Knutson	Ramsey	Williams
Edge	Lake	Rewoldt	Wilson
Edson	Leonard	Rhinehart	Wolfe
Fackler	Letts	Robson	Yenter
Frahm	Lichty	Rumley	Mr. Speaker—76
Gallagher	Long	Sampson	

Absent or not voting:

Aiken	Forsling	Lovrien	Rassler
Children	Gilbert	Miller	Rust
Clark	Gilbertson	Olson	Saunders
Cole	Hansen	Patterson	Storey
Diltz	Hauge	Peterson	Ulstad
Donhowe	Healy	Rankin	Wamstad—26
Elliott	Huff		

The House refused to concur in the Senate amendment to section 5 of House File No. 8.

Mr. Potts moved that the House concur in the Senate amendment to section 11 of House File No. 8.

On the question "Shall the House concur?"

The ayes were:

Anderson of Webster	Gallagher	Mathews	Sampson
Berry	Garber of Adair	Matthiesen	Schirmer
Blake	Garber of Floyd	Miller	Schulte
Blume	Gibson	Moen	Scott of
Bradley	Graham	Napier	Appanoose
Brady	Grimwood	Natvig	Scott of Fremont
Brittain	Harrison	Noble	Slemmons
Buffington	Hattendorf	O'Donnell	Smith of
Carter	Held	Oliver	Chickasaw
Children	Hempel	Ontjes	Smith of Lucas
Colbert	Henderson	Orr	Stookesberry
Cole	Hollis	Parsons	Storey
Criswell	Huff	Peterson	Strippel
Diltz	Johnson	Potts	Ulstad
Dooley	Knutson	Quirk	Venard
Doolittle	Lake	Ramsey	Vincent
Dotts	Leonard	Rassler	Weber
Edson	Letts	Rewoldt	Wilson
Fackler	Lichty	Rhinehart	Wolfe
Forsling	Lieberknecht	Robson	Yenter
Frahm	Long	Rumley	Mr. Speaker—84
	McClune	Rust	

The nays were, none.

Absent or not voting:

Aiken	Gesman	Healy	Powers
Clark	Gilbert	Himebauch	Rankin
Dewar	Gilbertson	King	Saunders
Donhowe	Gilmore	Lovrien	Stock
Edge	Hansen	Olson	Wamstad
Elliott	Hauge	Patterson	Williams—24

The House concurred in the Senate amendment to section 11 of House File No. 8.

#### REPORT OF SECOND CONFERENCE COMMITTEE ON HOUSE FILE

##### NO. 213

Cole of Harrison, from the second conference committee on House File No. 213, submitted the following report:

MR. SPEAKER: We, your second conference committee appointed to consider the differences between the House and Senate in regard to certain amendments on House File No. 213, a bill relating to marriage and incest, beg leave to report that we have had said differences under consideration



"5. Between persons one of whom is an idiot or an imbecile or is under guardianship as an incompetent."

Amend the title by striking out the period (.) at the end of same and adding thereto the following: "and prescribing the qualifications for entering into a marriage contract and prohibiting the issuance of licenses to marry in certain cases."

E. J. COLE,  
G. W. PATTERSON,  
T. L. WOLFE,  
C. A. KNUTSON,  
*Conferees on part of House.*

PERRY C. HOLDOEGEL,  
GEO. S. HARTMAN,  
BYRON W. NEWBERRY,  
BEN C. ABBEN, JR.  
*Conferees on part of Senate.*

Passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 27 and 75.

House Files Nos. 88-A and 110.

C. F. LETTS, *Chairman House Committee.*  
F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 88-A and 110; Senate Files Nos. 27 and 75.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this tenth day of April, 1924, sent to the Governor for his approval:

House Files Nos. 88-A and 110.

C. F. LETTS, *Chairman.*

Report 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 conference committee report and concurred in the amendments proposed therein, on House File No. 69, a bill for an act relating to hotels, restaurants, food establishments, and cold storage plants.

Also, that the Senate has adopted the conference committee report and concurred in the amendments proposed therein, on House File No. 158, a bill for an act relating to municipal corporations.

Also, that the Senate has adopted the conference committee report and concurred in the amendments proposed therein, on House File No. 134, a bill for an act relating to county attorneys.

Also, that, upon request of the House, the Senate herewith returns Senate File No. 186, a bill for an act relating to mill dams, races and water power improvements.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 302, a bill for an act relating to limitations on the expenditures of public funds in counties.

Also, that the Senate has adopted the conference committee report and concurred in the amendments proposed therein, on Senate File No. 247, a bill for an act relating to carrying dangerous weapons and permits therefor.

LEON W. AINSWORTH, *Secretary.*

## REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 247

MR. SPEAKER: Your conference committee to whom was referred the disagreement between the Senate and House on Senate File No. 247, relating to carrying dangerous weapons and permits therefor, beg leave to report that they have had the same under consideration and beg leave to submit the following:

1. That the senate concur in all the House amendments.
2. That the bill as amended by the House be further amended as follows:

Amend section 2 by inserting a period (.) after the word "billy" in line three (3) thereof and striking out the remainder of said section and inserting in lieu thereof the following:

"It shall be the duty of said sheriff to issue a permit to go armed with a revolver, pistol or pocket billy to all peace officers and such other persons who, in the judgment of said official, should be permitted to go so armed. Banks, trust companies, mining, transportation, manufacturing and mercantile companies or establishments may obtain a general permit good for any of their employes, only while on duty, actually engaged in guarding any property or the transportation of moneys or other valuables. Permits issued to peace officers or to employes of railroad or express com-

panies shall permit such persons to go armed anywhere within the state while in the discharge of their duties."

3. Amend the amendment to Senate File No. 247 by striking out all of section 5 and renumbering all the succeeding sections.

4. Amend section 5 of the renumbered bill by inserting a comma (,) after the word "issued" in line thirteen (13) and by inserting after said comma the following: "except as otherwise provided in section 2 hereof,".

VOLNEY DILTZ,  
L. B. FORSLING,  
JNO. M. RANKIN,  
*Conferees on part of House.*

GEO. B. PERKINS,  
CHAS. M. DUTCHER,  
JOHN J. ETHELL,  
M. L. BOWMAN,  
*Conferees on part of Senate.*

Forsling of Woodbury moved the adoption of the conference committee report on Senate File No. 247 and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Aiken	Gibson	Long	Robson
Berry	Gilbert	McClune	Rust
Blume	Gilbertson	Mathews	Sampson
Bradley	Gilmore	Matthiesen	Schirmer
Brady	Graham	Miller	Schulte
Brittain	Grimwood	Moen	Scott of
Buffington	Harrison	Napier	Appanoose
Children	Hattendorf	Natvig	Scott of Fremont
Colbert	Held	Noble	Slemmons
Cole	Hempel	O'Donnell	Smith of
Criswell	Henderson	Olson	Chickasaw
Dewar	Himebauch	Ontjes	Smith of Lucas
Diltz	Hollis	Orr	Stookesberry
Dooley	Huff	Parsons	Storey
Dotts	Johnson	Peterson	Strippel
Edson	King	Powers	Venard
Elliott	Knutson	Quirk	Weber
Fackler	Lake	Ramsey	Williams
Forsling	Leonard	Rankin	Wilson
Gallagher	Letts	Rassler	Wolfe
Garber of Adair	Lichty	Rewoldt	Yenter
Garber of Floyd	Lieberknecht	Rhinehart	Mr. Speaker—87
Gesman			

The nays were, none.

## Absent or not voting:

Anderson of	Doolittle	Lovrien	Saunders
Webster	Edge	Oliver	Stock
Blake	Frahm	Patterson	Ulstad
Carter	Hansen	Potts	Vincent
Clark	Hauge	Rumley.	Wamstad—21
Donhowe	Healy		

The report of the conference committee on Senate File No. 247 and the amendments proposed by said conference committee were adopted.

## BUSINESS PENDING

The House resumed consideration of Senate File No. 183, a bill for an act relating to taxation, and to provide an additional millage tax upon certain property.

The following amendment filed by Clark of Linn was taken up and considered:

Amend section twenty-nine (29) of Senate File No. 183 by striking from lines one (1) and two (2) the following words: "for the city council of any city or town, including cities under special charter, or".

On motion of Mr. Clark the amendment was adopted.

Vincent of Guthrie offered the following amendment and moved its adoption:

Amend Senate File No. 183, section 10-a, lines 5 and 6, by striking out the words and figures "four thousand five hundred and five (4505)" and inserting in lieu thereof the words and figures "four thousand five hundred four (4504)".

Amendment adopted.

Mr. Vincent moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Colbert	Elliott	Gilmore
Webster	Cole	Fackler	Graham
Berry	Criswell	Frahm	Grimwood
Blake	Dewar	Gallagher	Harrison
Bradley	Diltz	Garber of Adair	Hattendorf
Brady	Donhowe	Garber of Floyd	Healy
Brittain	Doolittle	Gesman	Held
Buffington	Dotts	Gibson	Hempel
Carter	Edge	Gilbert	Henderson
Clark	Edson	Gilbertson	Hollis

Johnson	Moen	Rassler	Stock
King	Napier	Rewoldt	Storey
Knutson	Natvig	Rhinehart	Strippel
Lake	O'Donnell	Robson	Ulstad
Leonard	Olson	Rumley	Venard
Letts	Ontjes	Rust	Vincent
Lichty	Parsons	Schirmer	Weber
Lieberknecht	Peterson	Schulte	Williams
Long	Potts	Scott of Fremont	Wilson
Lovrien	Powers	Slemmons	Wolfe
McClune	Quirk	Smith of	Yenter
Mathews	Ramsey	Chickasaw	Mr. Speaker—89
Matthiesen	Rankin	Smith of Lucas	

The nays were:

Blume	Oliver	Scott of	Stookesberry—8
Dooley	Patterson	Appanoose	
Miller	Sampson		

Absent or not voting:

Aiken	Hansen	Huff	Saunders
Children	Hauge	Noble	Wamstad—11
Forsling	Himebauch	Orr	

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### CONFERENCE COMMITTEE REPORTS CONSIDERED

The report of the conference committee on Senate File No. 9, found in the House Journal of April 9th, was taken up and considered.

Sampson of Audubon moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Aiken	Carter	Elliott	Grimwood
Anderson of	Children	Fackler	Harrison
Webster	Colbert	Forsling	Hattendorf
Berry	Cole	Frahm	Held
Blake	Dewar	Gallagher	Hempel
Blume	Diltz	Garber of Adair	Henderson
Bradley	Dooley	Garber of Floyd	Himebauch
Brady	Dotts	Gesman	Hollis
Brittain	Edge	Gibson	Huff
Buffington	Edson	Graham	Johnson

King	Natvig	Rhinehart	Smith of Lucas
Knutson	Noble	Robson	Storey
Lake	O'Donnell	Rumley	Strippel
Letts	Oliver	Rust	Ulstad
Lichty	Olson	Sampson	Venard
Lieberknecht	Ontjes	Schirmer	Vincent
Long	Parsons	Schulte	Weber
McClune	Peterson	Scott of	Williams
Mathews	Powers	Appanoose	Wilson
Matthiesen	Quirk	Scott of Fremont	Yenter
Miller	Ramsey	Slemmons	Mr. Speaker--87
Moen	Rassler	Smith of	
Napier	Rewoldt	Chickasaw	

The nays were:

Gilbert	Gilmore	Stookesberry—3
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Absent or not voting:

Clark	Hansen	Orr	Saunders
Criswell	Hauge	Patterson	Stock
Donhowe	Healy	Potts	Wamstad
Doolittle	Leonard	Rankin	Wolfe—18
Gilbertson	Lovrien		

The report of the conference committee on Senate File No. 9 and the amendments proposed by said conference committee were adopted.

#### SENATE MESSAGE CONSIDERED

Senate File No. 302, a bill for an act to amend chapters one hundred four (104) and one hundred five (105) of the acts of the Fortieth (40) General Assembly relating to limitations on the expenditures of public funds in counties.

Read first and second times and referred to committee on county and township organization.

#### HOUSE FILE WITHDRAWN

On request of Gilbert of Marshall, unanimous consent having been obtained, House File No. 183 was withdrawn from further consideration by the House.

#### CONSIDERATION OF BILLS

Senate File No. 121, a bill for an act to amend, revise, and codify chapters five (5) and eighteen (18) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to the county road, bridge, and culvert system, and taxation therefor and to toll bridges and ferries, and relating to the improvement of primary and county road systems and the issu-

ance of bonds therefor, and anticipating primary road funds for primary road bonds, and county road funds for county road bonds, and relating to taxation for the payment of both kinds of said bonds and the interest thereon, and providing a method additional to that now provided by law for improvement and maintenance of primary and county roads, with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of April 7th, were taken up and considered.

On motion of King of Clay committee amendments Nos. 1 to 9, inclusive, were adopted.

Lovrien of Humboldt offered the following amendment and moved its adoption:

Amend Senate File No. 121, section 24, line 6, by inserting after the word "use" the words "or for the board of supervisors to dispose of".

Amendment adopted.

On motion of King of Clay committee amendments Nos. 10 and 11 were adopted.

Slemmons of Buchanan offered the following amendment to committee amendment No. 12 and moved its adoption:

Amend committee amendment No. 12 to Senate File No. 121 by striking out the words and figures "seventy thousand dollars (\$70,000.00)" and inserting in lieu thereof the words and figures "fifty thousand dollars (\$50,000.00)".

Knutson of Cerro Gordo moved the previous question on the amendment offered by Slemmons of Buchanan.

Motion prevailed.

On the question "Shall the amendment by Slemmons of Buchanan be adopted?" a roll call was demanded.

The ayes were:

Aiken	Frahm	Leonard	Rassler
Anderson of	Garber of Floyd	Matthiesen	Rewoldt
Webster	Gesman	Miller	Scott of
Berry	Gilbertson	Napier	Appanoose
Blume	Harrison	Natvig	Slemmons
Brady	Hattendorf	Noble	Smith of Lucas
Children	Held	Orr	Stookesberry
Criswell	Hempel	Parsons	Ulstad
Dooley	Huff	Patterson	Mr. Speaker—37
Dotts	King	Quirk	

The nays were:

Blake	Garber of Adair	Lovrien	Sampson
Bradley	Gibson	McClune	Schirmer
Brittain	Gilbert	Mathews	Schulte
Buffington	Gilmore	Moen	Scott of Fremont
Carter	Graham	O'Donnell	Smith of
Clark	Grimwood	Oliver	Chickasaw
Colbert	Hauge	Olson	Stock
Cole	Healy	Ontjes	Storey
Dewar	Henderson	Peterson	Strippel
Diltz	Himebauch	Powers	Vincent
Donhowe	Hollis	Ramsey	Wamstad
Doolittle	Johnson	Rankin	Weber
Edge	Knutson	Rhinehart	Williams
Edson	Lake	Robson	Wilson
Elliott	Letts	Rumley	Wolfe
Forsling	Lichty	Rust	Yenter—65
Gallagher	Lieberknecht		

Absent or not voting:

Fackler	Long	Saunders	Venard—6
Hansen	Potts		

Amendment by Slemmons of Buchanan was rejected.

Children of Pottawattamie offered the following amendment to committee amendment No. 12 and moved its adoption:

Amend committee amendment No. 12 to Senate File No. 121 by adding at the end thereof the following: "This provision shall not apply to the construction of any bridge across any stream having a clear width of less than two hundred (200) feet from bank to bank."

Amendment was rejected.

On motion of King of Clay committee amendments Nos. 12 and 13 were adopted.

On motion of King of Clay the House adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### MOTION TO RECONSIDER LAID UPON TABLE

Storey of Warren moved to reconsider the vote by which Senate File No. 183 passed the House and lay the motion to reconsider on the table.

Motion prevailed.

## BUSINESS PENDING

The House resumed consideration of Senate File No. 121.

Lovrien of Humboldt offered the following amendment to committee amendment No. 15 and moved its adoption:

Amend committee amendment No. 15 to Senate File No. 121 by inserting between the words "authorization" and "shall" the following: "or where four (4) years have elapsed since contracts have been let thereunder".

Amendment adopted.

On motion of King of Clay committee amendment No. 15, as amended, was adopted.

On motion of King of Clay committee amendment No. 16 was adopted.

The following amendment filed by Clark of Linn and Wolfe of Linn as a substitute for committee amendment No. 14 was taken up for consideration:

Amend by substituting for amendment No. 14, proposed by the House committee on roads and highways, the following:

(14) Amend said Senate File No. 121 by striking out all of sections 53 and 54.

Also amend section 56 of said bill by striking out of lines 4 and 5 thereof the words "which will not conflict with the federal aid law".

Also amend section 51 of said bill by inserting after the word "county" in line 2 thereof, the words "having a population of more than seventy thousand (70,000)".

Strippel of Benton offered the following amendment to the substitute amendments by Clark of Linn and Wolfe of Linn and moved its adoption:

Amend the substitute amendments by Clark of Linn and Wolfe of Linn for committee amendment No. 14 by striking out of the last two lines thereof the words and figures "seventy thousand (70,000)" and inserting in lieu thereof the words and figures "seventeen thousand (17,000)".

Children of Pottawattamie in the chair.

Ontjes of Grundy moved the previous question on the amendment offered by Strippel of Benton.

Motion prevailed.

On the question "Shall the amendment by Strippel of Benton be adopted?" a roll call was demanded.

## The ayes were:

Blake	Forsling	Lake	Rumley
Bradley	Gibson	Lichty	Schirmer
Clark	Gilbert	McClune	Stock
Diltz	Gilmore	O'Donnell	Strippel
Donhowe	Grimwood	Olson	Wolfe
Edge	Hollis	Ramsey	Yenter—27
Edson	Johnson	Rankin	

## The nays were:

Aiken	Gallagher	Matthiesen	Sampson
Anderson of Webster	Gilbertson	Miller	Schulte
Berry	Harrison	Moen	Scott of Appanoose
Blume	Hattendorf	Napier	Scott of Fremont
Brady	Healy	Natvig	Slemmons
Brittain	Held	Noble	Smith of Chickasaw
Buffington	Hempel	Oliver	Smith of Lucas
Carter	Henderson	Ontjes	Stookesberry
Children	Himebauch	Orr	Ulstad
Colbert	Huff	Parsons	Venard
Criswell	King	Patterson	Vincent
Dewar	Knutson	Peterson	Wamstad
Dooley	Leonard	Potts	Weber
Doolittle	Letts	Powers	Williams
Dotts	Lieberknecht	Quirk	Wilson—68
Fackler	Long	Rassler	
Frahm	Lovrien	Rewoldt	
	Mathews	Robson	

## Absent or not voting:

Anderson of Winnebago	Garber of Adair	Hansen	Rust
Cole	Garber of Floyd	Hauge	Saunders
Elliott	Gesman	Rhinehart	Storey—13
	Graham		

The amendment by Strippel of Benton was rejected.

Yenter of Johnson offered the following amendment to the substitute amendments by Clark of Linn and Wolfe of Linn and moved its adoption:

Amend the amendment to Senate File No. 121 by Clark of Linn and Wolfe of Linn by substituting in the last paragraph for the words "having a population of more than seventy thousand (70,000)" the following: "in which there is located a city having a population of nine thousand (9,000) or more".

On the question "Shall the amendment be adopted?" a roll call was demanded.

## The ayes were:

Blake	Colbert	Forsling	Gilbert
Bradley	Cole	Gallagher	Gilmore
Buffington	Diltz	Garber of Adair	Grimwood
Clark	Elliott	Gibson	Hauge

Healy	McClune	Ramsey	Stock
Hollis	O'Donnell	Rankin	Storey
Johnson	Olson	Rhinehart	Strippel
Lake	Ontjes	Robson	Weber
Letts	Peterson	Rumley	Wolfe
Lichty	Potts	Sampson	Yenter—41
Lovrien			

## The nays were:

Aiken	Edson	Long	Rust
Anderson of	Fackler	Matthiesen	Schirmer
Webster	Frahm	Miller	Schulte
Berry	Gilbertson	Moen	Scott of
Blume	Harrison	Napier	Appanoose
Brady	Hattendorf	Natvig	Scott of Fremont
Brittain	Held	Noble	Slemmons
Carter	Hempel	Oliver	Smith of
Children	Henderson	Orr	Chickasaw
Crisswell	Himebauch	Parsons	Smith of Lucas
Dewar	Huff	Patterson	Stookesberry
Dooley	King	Powers	Ulstad
Doolittle	Knutson	Quirk	Venard
Dotts	Leonard	Rassler	Wamstad
Edge	Lieberknecht	Rewoldt	Wilson—57

## Absent or not voting:

Anderson of	Garber of Floyd	Hansen	Saunders
Winnebago	Gesman	Mathews	Vincent
Donhowe	Graham		Williams—10

The amendment offered by Yenter of Johnson was rejected.

Carter of Hardin offered the following amendments to the substitute amendments by Clark of Linn and Wolfe of Linn:

Amend the substitute amendments by Clark of Linn and Wolfe of Linn by striking out the last paragraph of said amendments and inserting in lieu thereof the following: "Also, amend by adding section 58-a following section 58:

"Sec. 58-a. In counties having a population of 70,000 or less, separate ballot boxes shall be provided for those residing within incorporated towns and cities and those residing outside the incorporated towns and cities. The proposition shall not be deemed carried unless a majority vote in favor thereof is cast in both the incorporated and unincorporated territory."

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 84, a bill for an act relating to charitable, correctional, and penal institutions.

LEON W. AINSWORTH, *Secretary*.

## SENATE AMENDMENTS TO HOUSE FILE NO. 84

Amend section 345 by striking from lines 4 and 5 of paragraph 3 the words and figures "eighteen hundred dollars (\$1800.00)" and inserting in lieu thereof the words and figures "two thousand dollars (\$2,000.00)".

Also by striking from lines 5 and 6 of said paragraph the words "one deputy" and inserting in lieu thereof the words "two deputies".

Also by inserting the word "each" following the figures "(\$1,500.00)" in the last line of said paragraph.

Amend section 461 by adding thereto the following: "The board shall not permit such services to be rendered to a private party at a less wage than is paid free labor for like service or its equivalent."

## REPORT OF COMMITTEE

Garber of Floyd, from the committee on insurance, filed the following report:

MR. SPEAKER: Your committee on insurance to whom was referred Senate File No. 207, a bill for an act to amend, revise, and codify section five thousand four hundred sixty-three (5463) of the compiled code of Iowa, and sections five thousand four hundred sixty-three-a one (5463-a1), five thousand four hundred sixty-three-a two (5463-a2), and five thousand four hundred sixty-three-a three (5463-a3), of the supplement to the compiled code, relating to the insurance department; section five thousand four hundred ninety-six (5496) of the supplement to the compiled code, relating to life insurance companies; section five thousand five hundred two (5502) of the compiled code, relating to group life insurance; sections five thousand six hundred five (5605) of the supplement to the compiled code, five thousand six hundred nine (5609), five thousand six hundred seventeen (5617), and five thousand six hundred eighteen (5618) of the compiled code, relating to insurance other than life; and subsection eight (8) of section five thousand six hundred twenty-seven (5627) of the supplement to the compiled code, relating to insurance other than life; and amending chapter 4, title XVIII of the compiled code, relating to assessment insurance, by inserting after section five thousand five hundred nine (5509) certain provisions in relation to the right of members of such associations to vote, beg leave to report they have had 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. S. GARBER, *Chairman.*

Passed on file.

## AMENDMENTS FILED

Johnson of Dickinson filed the following amendments to Senate File No. 121:

Amend Senate File No. 121 as follows:

Amend the title by inserting after the figures (11) the following: "and section twenty-nine hundred fifty-nine (2959)".

Also amend by inserting after section 50 the following:

"That section twenty-nine hundred fifty-nine (2959) of the compiled code is amended, revised and codified to read as follows:

"Sec. 51. Payment for county road improvements.

The total cost of improving a county road in said secondary system within said district, by oiling, graveling or other suitable surfacing, shall be apportioned and paid in the proportion of seventy-five per cent from the county road cash fund and twenty-five per cent from assessments on benefited lands, or may, by agreement between the board of supervisors and all of the trustees of the township in which the road is located when the petition requests such method of payment, be paid as provided in the next succeeding section.

Sec. 52. Payment for township secondary roads—maintenance.

The total cost of so improving a township road within said district shall be apportioned and paid in the proportion of twenty-five per cent from the county road cash fund, fifty per cent from the township road funds of the township or townships embracing said township road (according to their relative mileage) and twenty-five per cent from the special assessments on benefited lands.

A county road, after it is so improved, shall be maintained by the board of supervisors from the county road cash fund. A township road, after it is so improved, shall be maintained by the township trustees from township funds, unless the improvement is of so substantial and permanent a nature, as that the board of supervisors shall by resolution add such road to the county road system, to be maintained as such."

Gilbert of Marshall filed the following amendment to the substitute amendment by Clark of Linn and Wolfe of Linn to Senate File No. 121:

Amend the substitute for amendment No. 14 proposed by the House committee on roads and highways to Senate File No. 121 as follows:

By striking out of line ten (10) the words and figures "seventy thousand (70,000)" and inserting in lieu thereof the words and figures "thirty thousand (30,000)".

Williams of Montgomery moved that the House adjourn until 9:30 a. m. Friday.

Slemmons of Buchanan moved to amend the motion by changing the hour from 9:30 a. m. to 7:30 a. m.

Amendment lost.

Motion of Williams of Montgomery prevailed and the House stood adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 11, 1924.

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

Prayer was offered by the Rev. W. P. McCormick, pastor of the Lakeside Presbyterian church, Storm Lake, Iowa.

Journal of April 10th corrected and approved.

## MEMBERS EXCUSED FROM CONFERENCE COMMITTEE

Harrison of Pottawattamie requested that the gentleman from Sac, Mr. Quirk, and himself, be excused from further service on the conference committee on Senate File No. 7.

No objection was raised and the request was granted.

## INTRODUCTION OF BILL

House File No. 322, by committee on appropriations, a bill for an act to make emergency appropriations for the Iowa School for the Deaf.

Read first and second times and passed on file.

## PROOF OF PUBLICATION OF HOUSE FILE NO. 316

The official proof of publication of House File No. 316, proposed bill for the legalization of a school election held by the independent school district of Indianola, Warren county, Iowa, and legalizing any bonds that may be issued under the authority of said election, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 311, a bill for an act legalizing the transfer by concurrent

resolution by the Thirty-ninth General Assembly of \$199,839.39 from the general revenue fund of the state to the support fund of various state institutions under the board of control of state institutions and the expenditure thereof the same as though such transfer had been legally made and appropriation made 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.

C. F. CLARK, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 310, a bill for an act legalizing the transfer by concurrent resolution by the Thirty-eighth General Assembly of \$519,287.76 from the general revenue fund of the state to the support fund of various state institutions under the board of control of state institutions, and the expenditure thereof the same as though such transfer had been legally made and an appropriation made 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.

C. F. CLARK, *Chairman*.

Report adopted.

Gibson of Clarke, from the committee on county and township organization, submitted the following report:

MR. SPEAKER: Your committee on county and township organization to whom was referred Senate File No. 302, a bill for an act to amend chapters one hundred four (104) and one hundred five (105) of the acts of the Fortieth (40) General Assembly relating to limitations on the expenditures of public funds in counties, beg leave to report they have 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.

D. M. GIBSON, *Chairman*.

Passed on file.

Garber of Floyd called up the report of the committee on insurance on Senate File No. 207, recommending passage of the bill, said report having been submitted on April 10th and found in the House Journal of said date, and moved that the report be adopted.

Motion prevailed and the report was adopted.

#### INTRODUCTION AND CONSIDERATION OF BILL

House File No. 54-A, by Knutson of Cerro Gordo, a bill for an act to amend Substitute for House File No. 54, acts of the For-

tieth General Assembly in special session, relating to fish and game.

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

Section 1. That Substitute for House File No. 54, acts of the Fortieth General Assembly in special session, be amended as follows:

Amend section fifty-seven (57) by striking out the last sentence thereof and inserting in lieu thereof the following: "Nothing in this section shall apply to such animals as are considered fur-bearing animals. It shall be unlawful to have any game birds or animals named in this chapter in possession during the periods when the killing thereof is prohibited, except during the first ten (10) days of the closed season for them, respectively."

Read first and second times.

By unanimous consent the bill was taken up for consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third readings of a bill on the same day, Knutson of Cerro Gordo moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Frahm	Lovrien	Rust
Anderson of	Gallagher	Mathews	Sampson
Webster	Gesman	Matthiesen	Schirmer
Berry	Gibson	Miller	Scott of
Blake	Gilbertson	Napier	Appanoose
Blume	Grimwood	Natvig	Scott of Fremont
Bradley	Hattendorf	Noble	Slemmons
Brady	Hauge	O'Donnell	Smith of
Brittain	Healy	Oliver	Chickasaw
Buffington	Held	Olson	Smith of Lucas
Carter	Hempel	Ontjes	Stock
Clark	Henderson	Orr	Stookesberry
Colbert	Himebauch	Parsons	Storey
Cole	Hollis	Peterson	Strippel
Criswell	Huff	Quirk	Venard
Dewar	Johnson	Ramsey	Vincent
Dooley	King	Rankin	Wamstad
Doolittle	Knutson	Rassler	Weber
Dotts	Lake	Rewoldt	Williams
Edge	Letts	Rhinehart	Wilson
Edson	Lichty	Robson	Wolfe
Elliott	Lieberknecht	Rumley	Mr. Speaker—87
Forsling	Long		

The nays were, none.

## Absent or not voting:

Children	Gilbert	Leonard	Powers
Dilts	Gilmore	McClune	Saunders
Donhowe	Graham	Moen	Schulte
Fackler	Hansen	Patterson	Ulstad
Garber of Adair	Harrison	Potts	Yenter—21
Garber of Floyd			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Lake of Woodbury, House File No. 84, a bill for an act to amend, revise, and codify title nine (9) of the compiled code of Iowa and of the supplement to said code, relating to charitable, correctional, and penal institutions, and the juvenile court, with Senate amendments, found in the House Journal of April 10th, was taken up and the amendments read and considered.

Elliott of Scott asked for a division of the amendments.

Mr. Lake moved that the House concur in the Senate amendment to section 345.

On the question "Shall the House concur?"

The ayes were:

Anderson of Webster	Edge Elliott	Hollis King	Ramsey Rhinehart
Blake	Forsling	Knutson	Robson
Bradley	Gallagher	Lake	Rumley
Brady	Garber of Floyd	Letts	Sampson
Carter	Gilbert	Lichty	Stock
Clark	Graham	Lovrien	Ulstad
Colbert	Harrison	McClune	Venard
Cole	Hauge	O'Donnell	Vincent
Criswell	Healy	Olson	Wamstad
Diltz	Henderson	Peterson	Weber
Donhowe	Himebauch	Potts	Wolfe—48
Doolittle			

The nays were:

Berry	Grimwood	Napier	Schulte
Blume	Hansen	Natvig	Scott of Appanoose
Brittain	Hattendorf	Noble	Scott of Fremont
Buffington	Held	Oliver	Slemmons
Dewar	Hempel	Ontjes	Smith of Chickasaw
Dooley	Huff	Orr	Smith of Lucas
Dotts	Johnson	Parsons	Stookesberry
Edson	Leonard	Patterson	Strippel
Fackler	Lieberknecht	Powers	Wilson
Frahm	Long	Rassler	Mr. Speaker—48
Gesman	Mathews	Rust	
Gibson	Matthiesen	Schirmer	
Gilbertson	Miller		

Absent or not voting:

Aiken	Gilmore	Rankin	Storey
Children	Moen	Rewoldt	Williams
Garber of Adair	Quirk	Saunders	Yenter—12

The House refused to concur in the Senate amendments to section 345 of House File No. 84.

Mr. Lake moved that the House concur in the Senate amendment to section 461.

Graham of Wapello moved the previous question.

Motion prevailed.

On the question "Shall the House concur?"

The ayes were:

Aiken	Diltz	Harrison	Ramsey
Anderson of Webster	Donhowe	Himebauch	Rankin
Berry	Dotts	Knutson	Rassler
Blake	Edge	Lake	Rumley
Blume	Elliott	Leonard	Scott of Appanoose
Brady	Forsling	Mathews	Ulstad
Children	Gallagher	Moen	Wolfe
Clark	Gesman	O'Donnell	Yenter
Criswell	Graham	Olson	Mr. Speaker—33
	Hansen	Potts	

The nays were:

Bradley	Gilbertson	Napier	Schulte
Brittain	Gilmore	Natvig	Scott of Fremont
Buffington	Grimwood	Noble	Slemmons
Carter	Hattendorf	Oliver	Smith of Chickasaw
Colbert	Hempel	Ontjes	Smith of Lucas
Cole	Henderson	Orr	Stock
Dewar	Hollis	Parsons	Stokesberry
Dooley	Johnson	Patterson	Storey
Doolittle	King	Peterson	Strippel
Edson	Letts	Powers	Venard
Fackler	Lieberknecht	Quirk	Vincent
Frahm	Long	Rhinehart	Wamstad
Garber of Adair	Lovrien	Robson	Weber
Garber of Floyd	McClune	Rust	Williams
Gibson	Matthiesen	Sampson	Wilson—63
Gilbert	Miller	Schirmer	

Absent or not voting:

Hauge	Held	Lichty	Saunders—7
Healy	Huff	Rewoldt	

The House refused to concur in the Senate amendment to section 461 of House File No. 84.

## BUSINESS PENDING

The House resumed consideration of Senate File No. 121, a bill for an act to amend, revise, and codify chapters five (5) and eighteen (18) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to the county road, bridge, and culvert system, and taxation therefor and to toll bridges and ferries, and relating to the improvement of primary and county road systems and the issuance of bonds therefor, and anticipating primary road funds for primary road bonds, and county road funds for county road bonds, and relating to taxation for the payment of both kinds of said bonds and the interest thereon, and providing a method additional to that now provided by law for improvement and maintenance of primary and county roads.

The question before the House was on the amendment offered by Carter of Hardin to the substitute amendment offered by Clark of Linn and Wolfe of Linn.

By unanimous consent, the amendment offered by Carter of Hardin was withdrawn to be offered later as an amendment to the main bill.

The following amendment filed by Gilbert of Marshall to the substitute amendment was taken up and considered:

Amend the substitute for amendment No. 14 proposed by the House committee on roads and highways to Senate File No. 121 as follows:

By striking out of line ten (10) the words and figures "seventy thousand (70,000)" and inserting in lieu thereof the words and figures "thirty thousand (30,000)".

Mr. Gilbert moved the adoption of the amendment.

On the question "Shall the amendment filed by Gilbert of Marshall be adopted?" a roll call was demanded.

The ayes were:

Blake	Gallagher	Lovrien	Rumley
Buffington	Garber of Adair	McClune	Rust
Clark	Gilbert	O'Donnell	Stock
Colbert	Gilmore	Olson	Storey
Diltz	Grimwood	Ontjes	Strippel
Donhowe	Hansen	Peterson	Vincent
Edge	Healy	Ramsey	Weber
Edson	Hollis	Rankin	Williams
Elliott	Lake	Rhinehart	Wolfe
Forsling	Lichty	Robson	Yenter—40

The nays were:

Aiken	Garber of Floyd	Lieberknecht	Sampson
Anderson of	Gesman	Long	Schirmer
Webster	Gibson	Mathews	Schulte
Berry	Gilbertson	Matthiesen	Scott of
Blume	Harrison	Miller	Appanoose
Brady	Hattendorf	Moën	Scott of Fremont
Brittain	Hauge	Napier	Slemmons
Carter	Hempel	Natvig	Smith of Lucas
Children	Henderson	Noble	Stookesberry
Criswell	Himebauch	Oliver	Ulstad
Dewar	Huff	Orr	Venard
Dooley	Johnson	Parsons	Wamstad
Doolittle	King	Patterson	Wilson
Fackler	Knutson	Rassler	Mr. Speaker—57
Frahm	Leonard	Rewoldt	

Absent or not voting:

Bradley	Graham	Potts	Saunders
Cole	Held	Powers	Smith of
Dotts	Letts	Quirk	Chickasaw—11

The amendment by Gilbert of Marshall was rejected.

Robson of Greene offered the following amendments to the substitute amendments by Clark of Linn and Wolfe of Linn and moved their adoption:

Amend the substitute amendments by Clark of Linn and Wolfe of Linn for committee amendment No. 14 to Senate File No. 121 by striking therefrom the amendment to sections 53 and 54 and inserting in lieu thereof the following:

"Amend section fifty-two (52) line four (4) by striking the words 'and for county'.

Amend section fifty-three (53) by striking out of lines one (1) and two (2) the words 'as to primary roads'. Also, amend line nine (9) by striking out the words 'on the primary roads'. Also, amend section fifty-three (53) by striking out the last sentence thereof.

Amend section fifty-four (54) by striking out of line one (1) the word 'primary'.

Amend section fifty-six (56), lines seven (7) and eight (8), by striking out the words 'or county road bonds, as the case may be'. Also, amend section fifty-six (56) by striking out subsections three (3), four (4) and five (5).

Amend by striking out all of section fifty-eight (58).

Amend section sixty (60), line two (2), by striking out the words 'or as to the primary and county roads'.

Strike out all of section sixty-one (61).

Amend section sixty-two (62) by striking from lines four (4) and five (5) the words 'for primary or county roads or both, as case may be'.

Amend section sixty-three (63) by striking from line two (2) the words 'or county'.

Amend section sixty-five (65) by striking from line three (3) the words 'and county'; also, from line four (4) the word 'respectively'.

Amend section sixty-six (66) by striking from line two (2) the words 'and county'; also, the word 'respectively'."

Amend section fifty-one (51), line 4, by striking out the word "and" at the end thereof and inserting in lieu thereof the word "roads"; also amend said section by striking out lines 5, 6 and 7.

On the question "Shall the amendments offered by Robson of Greene be adopted?" a roll call was demanded.

The ayes were:

Brady	Himebauch	Ontjes	Robson
Children	King	Patterson	Scott of
Dooley	Lovrien	Quirk	Appanoose
Harrison	Miller	Rassler	Wamstad—15

The nays were:

Anderson of	Gallagher	Lieberknecht	Rhinehart
Webster	Garber of Floyd	Long	Rust
Berry	Gesman	McClune	Sampson
Blake	Gibson	Mathews	Schirmer
Blume	Gilbert	Matthiesen	Schulte
Bradley	Gilbertson	Moen	Scott of Fremont
Brittain	Gilmore	Napier	Slemmons
Buffington	Graham	Natvig	Smith of
Carter	Grimwood	Noble	Chickasaw
Clark	Hansen	O'Donnell	Smith of Lucas
Colbert	Hattendorf	Oliver	Stock
Criswell	Hauge	Olson	Stookesberry
Dewar	Healy	Orr	Strippel
Diltz	Held	Parsons	Venard
Doolittle	Hempel	Peterson	Vincent
Dotts	Henderson	Potts	Weber
Edge	Hollis	Powers	Wilson
Edson	Knutson	Ramsey	Wolfe
Elliott	Lake	Rankin	Yenter
Fackler	Leonard	Rewoldt	Mr. Speaker—80
Forsling	Lichty		

Absent or not voting:

Aiken	Garber of Adair	Letts	Storey
Cole	Huff	Rumley	Ulstad
Donhowe	Johnson	Saunders	Willfams—13
Frahm			

The amendments by Robson of Greene were rejected.

#### LEAVE OF ABSENCE

On motion of Harrison of Pottawattamie, Ulstad of Wright was excused for the day on account of illness.

## CALL OF THE HOUSE

MR. SPEAKER: We, the undersigned, demand a call of the House, to be effective April 12, 1924, for the consideration of the following bills:

House Files Nos. 177, 281, 191, 211, 313, 14 and 18.

W. WALTER WILSON  
GEO. F. SLEMMONS  
T. E. MOEN  
T. W. NAPIER  
ERNST LIEBECKNECHT

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills: April 9, 1924, House Files Nos. 172 and 254; April 10, 1924, House Files Nos. 110 and 88-A.

On motion of Lovrien of Humboldt the House adjourned until 1:30 p. m. today.

## AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

## LEAVE OF ABSENCE

On motion of Yenter of Johnson, Schulte of Worth was excused for the day and from the call of the House until Tuesday.

On motion of Clark of Linn, Saunders of Palo Alto was excused for the day.

On motion of Fackler of Adams, Leonard of Taylor was excused from the call of the House Saturday.

On motion of Blake of Fayette, Ramsey of Butler was excused for the day and from the call of the House Saturday.

## BUSINESS PENDING

The House resumed consideration of Senate File No. 121.

Lovrien of Humboldt moved that further action on Senate File No. 121 be deferred until Saturday.

Motion prevailed.

Doolittle of Delaware in the chair.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

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

Senate File No. 316, a bill for an act to legalize the levy, assessment, collection and transfer of certain school taxes in Union township, Cass county, Iowa, from the school house fund to the general fund.

LEON W. AINSWORTH, *Secretary.*

## SENATE MESSAGE CONSIDERED

Senate File No. 316, a bill for an act to legalize the levy, assessment, collection and transfer of certain school taxes in Union township, Cass county, Iowa from the school house fund to the general fund.

Read first and second times and referred to committee on judiciary.

## PROOF OF PUBLICATION OF SENATE FILE NO. 316

The official proof of publication of Senate File No. 316, a bill for an act to legalize the levy, assessment, collection and transfer of certain school taxes in Union township, Cass county, Iowa, from the school house fund to the general fund, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## INTRODUCTION OF BILL

House File No. 323, by Donhowe of Story, a bill for an act to legalize the voting of bonds for the extension of the waterworks system in Ames, Iowa, at a special election held on April 30th, 1923, and to legalize the issuance of such bonds.

Read first and second times and referred to committee on judiciary.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 287, 305, 307, 310, 311, 312, 314, and 289.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 289, 287, 305, 307, 310, 311, 312 and 314.

#### CONSIDERATION OF BILLS

House File No. 315, a bill for an act to authorize the executive council to sell certain property of the state and buy other property, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Hauge of Polk, the amendments proposed by the committee, found in the Journal of April 10th, were adopted.

Mr. Hauge moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Floyd	Leonard	Rewoldt
Anderson of	Gibson	Letts	Rhinehart
Webster	Gilbert	Lichty	Robson
Berry	Gilbertson	Lieberknecht	Rumley
Blake	Gilmore	Long	Sampson
Bradley	Graham	Lovrien	Schulte
Brady	Grimwood	McClune	Scott of
Brittain	Hansen	Mathews	Appanoose
Buffington	Hattendorf	Moen	Scott of Fremont
Clark	Hauge	Napier	Smith of
Colbert	Healy	Natvig	Chickasaw
Cole	Held	Noble	Smith of Lucas
Dewar	Hempel	O'Donnell	Stock
Diltz	Henderson	Olson	Storey
Dotts	Himebauch	Ontjes	Strippel
Edge	Hollis	Orr	Vincent
Edson	Huff	Parsons	Weber
Elllott	Johnson	Peterson	Williams
Fackler	King	Powers	Wilson
Forsling	Knutson	Quirk	Wolfe
Gallagher	Lake	Rankin	Yenter—82
Garber of Adair			

The nays were:

Blume	Miller	Stemmons	Stokesberry—6
Dooley	Oliver		

Absent or not voting:

Anderson of Winnebago	Doolittle	Patterson	Saunders
Carter	Frahm	Potts	Schirmer
Children	Gesman	Ramsey	Ulstad
Criswell	Harrison	Rassler	Venard
Donhowe	Matthiesen	Rust	Wamstad—20

So the bill having received a constitutional majority was declared to have passed the House.

Hauge of Polk offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 315 by striking from the last line thereof the words "and buy other property".

Amendment adopted and the title, as amended, was agreed to.

Senate File No. 207, a bill for an act to amend, revise, and codify section five thousand four hundred sixty-three (5463) of the compiled code of Iowa, and sections five thousand four hundred sixty-three-a one (5463-a1), five thousand four hundred sixty-three-a two (5463-a2), and five thousand four hundred sixty-three-a three (5463-a3), of the supplement to the compiled code, relating to the insurance department; section five thousand four hundred ninety-six (5496) of the supplement to the compiled code, relating to life insurance companies; section five thousand five hundred two (5502) of the compiled code, relating to group life insurance; sections five thousand six hundred five (5605) of the supplement to the compiled code, five thousand six hundred nine (5609), five thousand six hundred seventeen (5617), and five thousand six hundred eighteen (5618) of the compiled code, relating to insurance other than life; and subsection eight (8) of section five thousand six hundred twenty-seven (5627) of the supplement to the compiled code, relating to insurance other than life; and amending chapter 4, title XVIII, of the compiled code, relating to assessment insurance, by inserting after section five thousand five hundred nine (5509) certain provisions in relation to the right of members of such associations to vote, with report of committee recommending passage, was taken up for consideration.

Williams of Montgomery moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Gallagher Garber of Adair	Long McClune	Rust Sampson
Berry	Garber of Floyd	Mathews	Schirmer
Blake	Gibson	Miller	Schulte
Blume	Gilbertson	Moen	Scott of
Bradley	Gilmore	Napier	Appanoose
Brady	Graham	Natvig	Scott of Fremont
Brittain	Grimwood	Noble	Slemmons
Buffington	Hansen	O'Donnell	Smith of
Carter	Hattendorf	Olson	Chickasaw
Clark	Hauge	Ontjes	Smith of Lucas
Colbert	Healy	Parsons	Stock
Cole	Hempel	Patterson	Stookesberry
Criswell	Henderson	Peterson	Strippel
Dewar	Himebauch	Powers	Venard
Diltz	Hollis	Quirk	Vincent
Dooley	Huff	Rankin	Wamstad
Dotts	King	Rassler	Weber
Edge	Knutson	Rewoldt	Williams
Elliott	Lake	Rhinehart	Wilson
Fackler	Leonard	Robson	Wolfe
Forsling	Lieberknecht	Rumley	Yenter—85

The nays were, none.

Absent or not voting:

Aiken	Edson	Johnson	Orr
Anderson of Winnebago	Frahm	Letts	Potts
Children	Gesman	Lichty	Ramsey
Donhowe	Gilbert	Lovrien	Saunders
Doolittle	Harrison	Matthiesen	Storey
	Held	Oliver	U'lstad—23

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 310, a bill for an act legalizing the transfer by concurrent resolution by the 38th General Assembly of \$519,287.76 from the general revenue fund of the state to the support fund of various state institutions under the board of control of state institutions, and the expenditure thereof the same as though such transfer had been legally made and an appropriation made therefor, with report of committee recommending passage, was taken up for consideration.

Garber of Adair moved that the bill be read a third time now

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blake	Forsling	Letts	Rumley
Bradley	Gallagher	Lichty	Rust
Brady	Garber of Adair	Lieberknecht	Sampson
Brittain	Gibson	Long	Schirmer
Buffington	Gilmore	McClune	Schulte
Carter	Graham	Miller	Scott of Fremont
Clark	Grimwood	Moen	Slemmons
Colbert	Harrison	Napier	Smith of Lucas
Cole	Hattendorf	Natvig	Stock
Criswell	Healy	Noble	Storey
Dewar	Held	Olson	Strippel
Diltz	Hempel	Parsons	Vincent
Donhowe	Henderson	Peterson	Wamstad
Doolittle	Himebauch	Powers	Weber
Dotts	Hollis	Quirk	Williams
Edge	Johnson	Rankin	Wilson
Edson	King	Rhinehart	Wolfe
Ellhoff	Lake	Robson	Yenter—74
Fackler	Leonard		

The nays were:

Anderson of	Hansen	Oliver	Scott of
Webster	Huff	Ontjes	Appanoose
Blume	Mathews	Orr	Stookesberry
Dooley	Matthiesen	Rassler	--13

Absent or not voting:

Aiken	Garber of Floyd	Lovrien	Saunders
Anderson of	Gesman	O'Donnell	Smith of
Winnebago	Gilbert	Patterson	Chickasaw
Berry	Gilbertson	Potts	Ulstad
Children	Hauge	Ramsey	Venard—21
Frahm	Knutson	Rewoldt	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 311, a bill for an act legalizing the transfer by concurrent resolution by the 39th General Assembly of \$199,839.39 from the general revenue fund of the state to the support fund of various state institutions under the board of control of state institutions and the expenditure thereof the same as though such transfer had been legally made and appropriation made therefor, with report of committee recommending passage, was taken up for consideration.

Speaker Anderson in the chair.

Garber of Adair moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Berry	Frahm	Lake	Rumley
Blake	Gallagher	Leonard	Rust
Bradley	Garber of Adair	Letts	Sampson
Brady	Garber of Floyd	Lichty	Schirmer
Brittain	Gilmore	Lieberknecht	Schulte
Buffington	Graham	Long	Scott of Fremont
Carter	Grimwood	Lovrien	Slemmons
Children	Harrison	McClune	Smith of
Clark	Hattendorf	Miller	Chickasaw
Cole	Hauge	Moen	Stock
Criswell	Healy	Napier	Storey
Dewar	Held	Olson	Strippel
Donhowe	Hempel	Parsons	Vincent
Doolittle	Henderson	Peterson	Wamstad
Dotts	Himebauch	Quirk	Weber
Edge	Hollis	Rankin	Williams
Edson	Johnson	Rewoldt	Wilson
Elliott	King	Rhinehart	Yenter
Fackler	Knutson	Robson	Mr. Speaker—76
Forsling			

The nays were:

Blume	Matthiesen	Orr	Stookesberry—7
Mathews	Oliver	Smith of Lucas	

Absent or not voting:

Aiken	Gibson	O'Donnell	Saunders
Anderson of	Gilbert	Ontjes	Scott of
Webster	Gilbertson	Patterson	Appanoose
Colbert	Hansen	Potts	Ulstad
Diltz	Huff	Powers	Venard
Dooley	Natvig	Ramsey	Wolfe—25
Gesman	Noble	Rassler	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 320, a bill for an act relating to jurisdiction in juvenile court cases in cities wherein a municipal court is established, was taken up for consideration.

Children of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Lichty	Rumley
Anderson of	Frahm	Lieberknecht	Rust
Webster	Gallagher	Long	Sampson
Berry	Garber of Floyd	Lovrien	Schirmer
Blake	Gilmore	McClune	Schulte
Blume	Graham	Mathews	Scott of
Brady	Grimwood	Miller	Appanoose
Brittain	Harrison	Moen	Scott of Fremont
Buffington	Hattendorf	Napier	Slemmons
Carter	Healy	Natvig	Smith of Lucas
Children	Held	Noble	Stock
Colbert	Hempel	Olson	Stookesberry
Criswell	Henderson	Ontjes	Storey
Dewar	Himebauch	Orr	Strippel
Donhowe	Hollis	Parsons	Venard
Dooley	Huff	Patterson	Wamstad
Doolittle	Johnson	Peterson	Weber
Dotts	King	Powers	Williams
Edge	Knutson	Quirk	Wilson
Edson	Lake	Rankin	Yenter
Elliott	Leonard	Rewoldt	Mr. Speaker—85
Fackler	Letts	Robson	

The nays were, none.

Absent or not voting:

Bradley	Gibson	O'Donnell	Saunders
Clark	Gilbert	Oliver	Smith of
Cole	Gilbertson	Potts	Chickasaw
Diltz	Hansen	Ramsey	Ustad
Garber of Adair	Hauge	Rassler	Vincent
Gesman	Matthiesen	Rhinehart	Wolfe—23

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 182, a bill for an act to amend, revise, and codify sections four thousand two hundred ninety-nine (4299), four thousand three hundred six (4306), four thousand three hundred ten (4310), four thousand three hundred eighteen (4318), four thousand three hundred twenty (4320) to four thousand three hundred twenty-two (4322), inclusive, four thousand three hundred twenty-four (4324), four thousand three hundred twenty-five (4325), four thousand three hundred twenty-seven (4327), four thousand three hundred thirty (4330), four thousand three hundred thirty-six (4336), four thousand three hundred forty-five (4345), four thousand three hundred forty-six (4346), four thousand three hundred forty-eight (4348) to four thousand three hundred fifty (4350), inclusive, four thousand three hundred fifty-two (4352) to four thousand three hundred fifty-five (4355), inclusive, four thousand three hundred fifty-seven (4357), four thousand three hundred fifty-nine (4359) to four thousand three

hundred sixty-seven (4367), inclusive, four thousand three hundred sixty-nine (4369), four thousand three hundred seventy-one (4371), four thousand three hundred seventy-nine (4379) to four thousand three hundred eighty-three (4383), inclusive, four thousand three hundred ninety-two (4392) to four thousand three hundred ninety-five (4395), inclusive, four thousand four hundred (4400) to four thousand four hundred two (4402), inclusive, four thousand four hundred four (4404), four thousand four hundred six (4406) to four thousand four hundred eight (4408), inclusive, four thousand four hundred ten (4410), four thousand four hundred twelve (4412) to four thousand four hundred fourteen (4414), inclusive, four thousand four hundred seventeen (4417), four thousand four hundred forty (4440) to four thousand four hundred forty-four (4444), inclusive, of the compiled code of Iowa, and sections four thousand three hundred twenty-three (4323), four thousand three hundred twenty-eight (4328), four thousand three hundred twenty-nine (4329), four thousand three hundred forty-seven (4347), four thousand three hundred fifty-one (4351), four thousand three hundred fifty-six (4356), four thousand three hundred fifty-eight (4358), four thousand three hundred seventy-eight (4378), four thousand three hundred ninety-four-a one (4394-a1), four thousand four hundred three (4403), four thousand four hundred nine (4409), four thousand four hundred forty-a one (4440-a1), four thousand four hundred sixty-eight (4468), and four thousand four hundred sixty-eight-a one (4468-a1) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Forsling of Woodbury, Senate File No. 182 was withdrawn from the committee on municipal corporations and substituted for House File No. 182.

Senate File No. 182, a bill for an act to amend, revise, and codify sections four thousand two hundred ninety-nine (4299), four thousand three hundred six (4306), four thousand three hundred ten (4310), four thousand three hundred eighteen (4318), four thousand three hundred twenty (4320) to four thousand three hundred twenty-two (4322), inclusive, four thousand three hundred twenty-four (4324), four thousand three hundred twenty-five (4325), four thousand three hundred twenty-

seven (4327), four thousand three hundred thirty (4330), four thousand three hundred thirty-six (4336), four thousand three hundred forty-five (4345), four thousand three hundred forty-six (4346), four thousand three hundred forty-eight (4348) to four thousand three hundred fifty (4350), inclusive, four thousand three hundred fifty-two (4352) to four thousand three hundred fifty-five (4355), inclusive, four thousand three hundred fifty-seven (4357), four thousand three hundred fifty-nine (4359) to four thousand three hundred sixty-one (4361), inclusive, four thousand three hundred sixty-four (4364), four thousand three hundred sixty-five (4365), four thousand three hundred sixty-nine (4369), four thousand three hundred seventy-nine (4379) to four thousand three hundred eighty-three (4383), inclusive, four thousand three hundred ninety-two (4392) to four thousand three hundred ninety-five (4395), inclusive, four thousand four hundred (4400) to four thousand four hundred two (4402), inclusive, four thousand four hundred four (4404), four thousand four hundred six (4406) to four thousand four hundred eight (4408), inclusive, four thousand four hundred ten (4410), four thousand four hundred twelve (4412) to four thousand four hundred fourteen (4414), inclusive, four thousand four hundred seventeen (4417), four thousand four hundred forty (4440) to four thousand four hundred forty-four (4444), inclusive, of the compiled code of Iowa, and sections four thousand three hundred twenty-three (4323), four thousand three hundred twenty-eight (4328), four thousand three hundred twenty-nine (4329), four thousand three hundred forty-seven (4347), four thousand three hundred fifty-one (4351), four thousand three hundred fifty-six (4356), four thousand three hundred fifty-eight (4358), four thousand three hundred seventy-eight (4378), four thousand three hundred ninety-four-a one (4394-a1), four thousand four hundred nine (4409), four thousand four hundred forty-a one (4440-a1), four thousand four hundred sixty-eight (4468), and four thousand four hundred sixty-eight-a one (4468-a1) of the supplement to said code, relating to municipal corporations, and to repeal section four thousand eighty-five (4085) of the compiled code, relating to plats, was taken up for consideration.

Diltz of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Garber of Floyd	Long	Sampson
Webster	Gibson	Lovrien	Schirmer
Blake	Gilbert	McClune	Schulte
Blume	Gilbertson	Mathews	Scott of
Bradley	Gilmore	Matthiesen	Appanoose
Brady	Graham	Miller	Scott of Fremont
Brittain	Grimwood	Moen	Slemmons
Buffington	Harrison	Napier	Smith of
Carter	Hauge	Noble	Chickasaw
Children	Healy	O'Donnell	Smith of Lucas
Clark	Held	Olson	Stock
Cole	Hempel	Ontjes	Stookesberry
Criswell	Henderson	Orr	Storey
Dewar	Himebauch	Parsons	Strippel
Diltz	Hollis	Patterson	Venard
Dooley	Huff	Peterson	Vincent
Doolittle	Johnson	Powers	Wamstad
Dotts	King	Quirk	Weber
Edge	Knutson	Rankin	Williams
Elliott	Lake	Rewoldt	Wilson
Fackler	Leonard	Rhinehart	Wolfe
Forsling	Letts	Robson	Yenter
Gallagher	Lichty	Rumley	Mr. Speaker—92
Garber of Adair	Lieberknecht	Rust	

The nays were, none.

Absent or not voting:

Aiken	Edson	Hattendorf	Ramsey
Berry	Frahm	Natvig	Rassler
Colbert	Gesman	Oliver	Saunders
Donhowe	Hansen	Potts	Ulstad—16

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Hauge of Polk asked unanimous consent to take up House File No. 322 for consideration at this time.

Objection was made.

Hauge of Polk moved that the rule prohibiting the second and third readings of a bill on the same day be suspended and that House File No. 322 be considered at this time.

The motion, having received a two-thirds vote, prevailed.

House File No. 322, a bill for an act to make emergency appropriations for the Iowa School for the Deaf, was taken up for consideration.

Children of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Elliott	Huff	Powers
Anderson of	Fackler	King	Quirk
Webster	Forsling	Knutson	Rankin
Berry	Frahm	Lake	Rewoldt
Blake	Gallagher	Leonard	Robson
Blume	Garber of Adair	Letts	Rumley
Bradley	Garber of Floyd	Lieberknecht	Rust
Brady	Gibson	Long	Sampson
Brittain	Gilbertson	Lovrien	Schirmer
Children	Grimwood	McClune	Scott of Fremont
Colbert	Hansen	Mathews	Slemmons
Cole	Harrison	Matthiesen	Stock
Criswell	Hattendorf	Napier	Stookesberry
Dewar	Hauge	Natvig	Storey
Diltz	Healy	Noble	Strippel
Donhowe	Held	O'Donnell	Vincent
Dooley	Hempel	Olson	Wamstad
Doolittle	Henderson	Parsons	Weber
Dotts	Himebauch	Patterson	Yenter
Edge	Hollis	Peterson	Mr. Speaker—79

The nays were:

Carter	Miller	Orr	Smith of Lucas
Edson	Moen	Schulte	Venard
Gilbert	Oliver	Smith of	Wilson
Johnson	Ontjes	Chickasaw	Wolfe—15

Absent or not voting:

Buffington	Graham	Rassler	Scott of
Clark	Lichty	Rhinehart	Appanoose
Gesman	Potts	Saunders	Ulstad
Gilmore	Ramsey		Williams—14

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this eleventh day of April, 1924, sent to the Governor for his approval:

House Files Nos. 287, 305, 307, 310, 311, 312, 314, 289.

C. F. LETTS, *Chairman.*

Report adopted.

## LEAVE OF ABSENCE

On motion of Fackler of Adams, Graham of Wapello was excused from the call of the House for Saturday.

On motion of Vincent of Guthrie, Garber of Adair was excused from the call of the House for Saturday.

Edson of Buena Vista moved that all members having important business at home be excused from the call of the House tomorrow.

Criswell of Boone moved to amend the motion by including members desiring to be excused on account of illness.

Amendment lost.

On the question "Shall the motion by Edson of Buena Vista be adopted?" a roll call was demanded.

The ayes were:

Alken	Frahm	Matthiesen	Rumley
Blake	Garber of Adair	Miller	Sampson
Carter	Gilbert	Moen	Scott of
Clark	Gilmore	O'Donnell	Appanoose
Dewar	Graham	Olson	Smith of Lucas
Diltz	King	Orr	Stock
Dotts	Lake	Quirk	Vincent
Edge	Letts	Rankin	Williams
Elliott	McClune	Rhinehart	Yenter—36
Foraling			

The nays were:

Anderson of	Garber of Floyd	Knutson	Robson
Webster	Gibson	Lichty	Rust
Blume	Gilbertson	Lieberknecht	Schirmer
Bradley	Grimwood	Long	Scott of Fremont
Brady	Hansen	Lovrien	Slemmons
Brittain	Harrison	Mathews	Smith of
Buffington	Hattendorf	Napier	Chickasaw
Children	Hauge	Natvig	Stokesberry
Colbert	Healy	Noble	Storey
Cole	Held	Oliver	Strippel
Criswell	Hempel	Ontjes	Venard
Dooley	Henderson	Parsons	Wamstad
Doolittle	Himebauch	Patterson	Weber
Edson	Hollis	Peterson	Wilson
Fackler	Huff	Powers	Wolfe
Gallagher	Johnson	Rewoldt	Mr. Speaker—62

Absent or not voting:

Berry	Leonard	Rassler	Schulte
Donhowe	Potts	Saunders	Ulstad—10
Gesman	Ramsey		

The motion by Edson of Buena Vista was lost.

On motion of Criswell of Boone, Miller of Shelby was excused from the call of the House on Monday and Tuesday.

McClune of Mahaska requested that he be excused from the call of the House on Monday.

The request was granted.

#### MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 277, a bill for an act relating to motor vehicles, travel upon the public highways, and criminal offenses relative to said subject matters.

LEON W. AINSWORTH, *Secretary.*

#### SENATE AMENDMENTS TO HOUSE FILE NO. 277

(1) Amend by striking out section 33-a1, and substituting in lieu thereof the following:

"Sec. 33-a1. It shall be unlawful for any dealer or used car dealer in this state to sell and transfer his stock of used motor vehicles in bulk unless he complies with the following requirements:

1. The vendor shall:

(a) File with the county treasurer and the department, duplicate inventories of all used motor vehicles proposed to be transferred, giving the factory number, last license number, if any, and description of each such used motor vehicle and the name and address of proposed vendee.

(b) File with the county treasurer or department duplicate bills of sale setting forth the fact that such sale has been completed.

2. The vendee shall:

(a) If he has not already secured a used car dealer's license, immediately secure such license from the department.

3. Vendor and vendee: The vendor and vendee shall join in the transfer of each used motor vehicle in said stock and shall file with the county treasurer a transfer and shall pay a transfer fee of one dollar (\$1.00) for each such used motor vehicle. Upon the completion of such requirements the department shall certify to the county treasurer that such used motor vehicles are, from and after a date to be set by the department, the property of the vendee.

(2) Amend section 43, line 2, by striking out the word "eight" and insert the word "ten".

(3) Amend section 121 by striking out of lines 4 and 5 the words "the provisions of this chapter together with the lenses and devices so

approved by the department", and substituting in lieu thereof the following: "that specified on the approved list for the lens in question when installed in such way that the bulbs are focused as specified in the approved list, and the directly reflected beam of light does not rise or diverge contrary to the provisions of this chapter."

(4) Amend by inserting after section 129 the following:

"Sec. 129-a1. The board of supervisors of any county may designate certain public highways whereon vehicles, machines and loads carried on wheels of greater weight than the maximum prescribed in section 195 of this act may be excluded and make such other reasonable regulation in relation to the use thereof as may be necessary to prevent the destruction of a permanent improvement thereon."

(5) Amend section 132 by inserting after the word "registration" in line 11 of subsection 3 the following: "and each transfer".

(6) Amend section 144 by inserting in line 3 after the word "license" the following: "and transfer".

(7) Amend by adding immediately after section 185 the following:

"Sec. 185-a1. Stationary unlighted vehicle.

No person shall, during any part of the time from one-half hour after sunset to one-half hour before sunrise, permit a motor vehicle, under his control, to stand upon the traveled portion of any highway with the front or rear lights extinguished unless said highway is artificially lighted at the place where the vehicle is located to such extent as to clearly indicate the presence of said vehicle. A violation of this section shall constitute a misdemeanor and be punished accordingly.

Sec. 185-a2. Exception.

The last preceding section shall not apply when an accident extinguishes said lights and renders any vehicle incapable of use, and when the person in control of the vehicle erects, at the earliest opportunity after the accident, such proper lights at or near the vehicle as will give warning of the presence of said vehicle."

(8) Also strike out section 195 and insert in lieu thereof the following:

"Sec. 195. The total maximum load on any one wheel of a motor vehicle, including the weight of the vehicle and loaded carriage, shall be four (4) tons, provided the total maximum weight of the vehicle and load shall not in any event exceed fourteen (14) tons."

(9) Amend by striking out of line 4 of section 199 the words "per inch width of such cleats".

#### CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 65

Children of Pottawattamie, from the conference committee on House File No. 65, submitted the following report:

MR. SPEAKER: Your conference committee to whom was referred the disagreement between the Senate and House on House File No. 65, relating to the department of agriculture, beg leave to report that they have had the same under consideration and beg leave to submit the following:

That the House concur in the Senate amendment to subsection one (1) of section three (3) and that the following sentence be added to said subsection one (1): "Nothing herein contained shall be construed to subordinate either the department or the college in their several spheres of action."

W. C. CHILDREN,  
T. W. NAPIER,  
HOWARD A. MATHEWS,  
BREDE WAMSTAD,

*Conferees on part of House.*

P. C. HOLDOEGEL,  
O. L. MEAD,  
J. M. SLOSSON,  
GEO. S. HARTMAN,

*Conferees on part of Senate.*

Passed on file.

#### CONFEREES ON SENATE FILE NO. 7

As conferees on Senate File No. 7, the Speaker appointed Storey of Warren and Children of Pottawattamie to fill the vacancies caused by the resignation of Harrison of Pottawattamie and Quirk of Sac.

#### AMENDMENTS FILED

Edson of Buena Vista, Carter of Hardin, Clark of Linn, Wolfe of Linn, Robson of Greene, Lovrien of Humboldt and Johnson of Dickinson filed the following amendments to Senate File No. 121 as a substitute for amendment No. 14 proposed by the House committee on roads and highways, and all pending amendments thereto:

Amend by substituting for amendment No. 14, proposed by House committee on roads and highways, and all pending amendments thereto, the following:

(1) Amend section 51 by inserting after the word "county" in line 2 thereof the words "having a population of more than seventy thousand (70,000)".

(2) Strike out all of sections 53 and 54.

(3) Strike from lines 4 and 5 of section 56 the words "which will not conflict with the federal aid law".

(4) Amend by adding to the bill the following:

"Sec. 60-a1. The maximum aggregate amount of bonds to be issued serially which any county shall be authorized to issue for improving the roads in the county road system shall not be, including interest, more

than one-half of the sum which might be realized by the levies allowed by law in that county for the county road, county drainage, county bridge and culvert funds during the period of years over which said bonds extend. Such maximum amount shall be determined from the millage allowed by law computed upon the assessed valuation of the real and personal property (exclusive of moneys and credits) in the county for the year last preceding the issuance of such bonds.

Sec. 60-a2. If the funds so set apart for the payment of said bonds and interest are at the time of the maturity thereof insufficient to pay the same, refunding bonds may be issued for the payment of such deficiency. Such refunding bonds shall be issued on the same terms and conditions and be payable in the same manner as the original bonds."

(5) Amend by adding to the bill as section 66-a1, the following:

"Sec. 66-a1. Any county having a population of seventy thousand (70,000) or less may adopt the additional method herein provided for the improvement of the roads of such county, but in any such county separate ballot boxes must be provided for the voters residing in cities and towns, and for the voters residing outside of cities and towns. The proposition submitted shall not be deemed to be carried in any such county unless a majority vote in favor thereof in both the incorporated and unincorporated territory."

On motion of Hattendorf of Osceola the House adjourned until 9:30 a. m. Saturday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 12, 1924.

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

Prayer was offered by the Rev. H. G. Hicks, pastor of the M. E. church, Scranton, Iowa.

Journal of April 11th corrected and approved.

## LEAVE OF ABSENCE

On motion of Forsling of Woodbury, Rhinehart of Dallas was excused from the call of the House for the day.

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## SENATE FILE NO. 302 INDEFINITELY POSTPONED

The report of the committee on county and township organization on Senate File No. 302, found in the House Journal of April 11th, recommending indefinite postponement, was taken up for consideration.

Gibson of Clarke moved the adoption of the report.

Motion prevailed, the report of the committee was adopted, and Senate File No. 302 was indefinitely postponed.

## INTRODUCTION OF BILLS

House File No. 324, by Graham of Wapello, a bill for an act to legalize the transfer of funds by the board of supervisors of Wapello county, Iowa.

Read first and second times and referred to committee on judiciary.

House File No. 325, by committee on appropriations, a bill for an act making an appropriation for the Iowa State College of Agriculture and Mechanic Arts.

Read first and second times and passed on file.

## CONFERENCE COMMITTEE REPORT CONSIDERED

The report of the conference committee on House File No. 65, found in the House Journal of April 11th, was taken up and considered.

Children of Pottawattamie moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Aiken	Forsling	Long	Rumley
Anderson of Webster	Frahm	Lovrien	Rust
Berry	Gallagher	McClune	Saunders
Blake	Garber of Floyd	Mathews	Schirmer
Blume	Gesman	Matthiesen	Scott of Appanoose
Bradley	Gibson	Miller	Scott of Fremont
Brady	Gilbert	Moen	Slemmons
Brittain	Gilbertson	Napler	Smith of Chickasaw
Buffington	Grimwood	Natvig	Smith of Lucas
Carter	Harrison	Noble	Stock
Children	Hattendorf	Oliver	Stookesberry
Cole	Healy	Olson	Storey
Criswell	Hempel	Ontjes	Strippel
Dewar	Henderson	Orr	Ulstad
Diltz	Himebauch	Parsons	Venard
Donhowe	Hollis	Patterson	Wamstad
Dooley	Huff	Peterson	Weber
Doolittle	Johnson	Powers	Wilson
Dotts	King	Quirk	Wolfe
Edge	Lake	Rankin	Yenter
Edson	Letts	Rassler	Mr. Speaker—90
Elliott	Lichty	Rewoldt	
Fackler	Lieberknecht	Robson	

The nays were, none.

Absent or not voting:

Clark	Hansen	O'Donnell	Sampson
Colbert	Hauge	Potts	Schulte
Garber of Adair	Held	Ramsey	Vincent
Gilmore	Knutson	Rhinehart	Williams—18
Graham	Leonard		

The report of the conference committee on House File No. 65 and the amendments proposed by said conference committee were adopted.

## CONSIDERATION OF SENATE AMENDMENTS

On request of McClune of Mahaska, House File No. 277, a bill for an act to amend, revise, and codify chapter seventeen (17) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, sections thirty hundred forty-one (3041), thirty hundred forty-two (3042) and thirty hundred forty-four (3044), eighty-eight hundred sixty-two (8862) and eighty-eight hundred sixty-three (8863) of the compiled code of Iowa, and sections eighty-six hundred forty-five-a five (8645-a5) to eighty-six hundred forty-five-a seven (8645-a7), inclusive, of the supplement to the compiled code of Iowa, relating to motor vehicles, travel upon the public highways, and criminal offenses relative to said subject matters, with Senate amendments, found in the House Journal of April 11th, was taken up and the amendments read and considered.

A division of the amendments was asked for.

Mr. McClune moved that the House concur in the Senate amendment to section 33-a1.

On the question "Shall the House concur?"

The ayes were:

Anderson of	Gallagher	Long	Rust
Webster	Garber of Floyd	Lovrien	Saunders
Blume	Gesman	McClune	Schirmer
Bradley	Gibson	Mathews	Scott of
Brady	Gilbert	Miller	Appanoose
Brittain	Gilbertson	Moen	Scott of Fremont
Buffington	Grimwood	Napier	Slemmons
Carter	Hansen	Natvig	Smith of
Children	Harrison	Noble	Chickasaw
Clark	Hattendorf	O'Donnell	Smith of Lucas
Colbert	Healy	Oliver	Stock
Cole	Hempel	Olson	Stookesberry
Diltz	Henderson	Ontjes	Storey
Donhowe	Himebauch	Orr	Strippel
Dooley	Hollis	Parsons	Ulstad
Doolittle	Huff	Patterson	Vincent
Dotts	Johnson	Peterson	Weber
Edge	King	Potts	Williams
Edson	Knutson	Quirk	Wilson
Elliott	Lake	Rassler	Wolfe
Fackler	Letts	Rewoldt	Yenter
Forsling	Lichty	Robson	Mr. Speaker—88
Frahm	Lieberknecht	Rumley	

The nays were, none.

## Absent or not voting:

Aiken	Garber of Adair	Leonard	Rhinehart
Berry	Gilmore	Matthiesen	Sampson
Blake	Graham	Powers	Schulte
Criswell	Hauge	Ramsey	Venard
Dewar	Held	Rankin	Wamstad—20

The House concurred in the Senate amendment to section 38-a1 of House File No. 277.

Mr. McClune moved that the House concur in the Senate amendment to section 43.

Harrison of Pottawattamie moved the previous question on the amendment to section 43.

Motion prevailed.

On the question "Shall the House concur?"

The ayes were:

Bradley	Gilmore	McClune	Saunders
Brittain	Grimwood	Mathews	Schirmer
Buffington	Hansen	Moen	Scott of Fremont
Clark	Hauge	Natvig	Slemmons
Colbert	Healy	O'Donnell	Smith of
Dewar	Hempel	Oliver	Chickasaw
Diltz	Henderson	Olson	Stock
Donhowe	Hollis	Ontjes	Storey
Doolittle	Johnson	Peterson	Strippel
Edge	Knutson	Potts	Vincent
Elliott	Lake	Powers	Wamstad
Fackler	Letts	Rankin	Weber
Forsling	Lichty	Rewoldt	Williams
Gallagher	Lieberknecht	Robson	Wolfe
Garber of Floyd	Long	Rumley	Yenter
Gibson	Lovrien	Sampson	Mr. Speaker—64
Gilbert			

The nays were:

Aiken	Criswell	Held	Patterson
Anderson of	Dooley	Himebauch	Rassler
Webster	Dotts	Huff	Rust
Berry	Edson	Matthiesen	Scott of
Blake	Frahm	Miller	Appanoose
Blume	Gesman	Napier	Smith of Lucas
Brady	Gilbertson	Noble	Stookesberry
Carter	Harrison	Orr	Ulstad
Children	Hattendorf	Parsons	Wiisen—35
Cole			

Absent or not voting:

Garber of Adair	Leonard	Ramsey	Schulte
Graham	Quirk	Rhinehart	Venard—9
King			

The House concurred in the Senate amendment to section 43 of House File No. 277.

Mr. McClune moved that the House concur in the Senate amendment to section 121.

On the question "Shall the House concur?"

The ayes were:

Blake	Garber of Floyd	Lovrien	Saunders
Bradley	Gibson	McClune	Schirmer
Brady	Gilbert	Mathews	Scott of
Brittain	Gilbertson	Matthiesen	Appanoose
Buffington	Gilmore	Moen	Scott of Fremont
Carter	Grimwood	Napier	Slemmons
Clark	Harrison	Natvig	Smith of
Colbert	Hattendorf	O'Donnell	Chickasaw
Cole	Healy	Oliver	Smith of Lucas
Dewar	Hempel	Olson	Stock
Diltz	Henderson	Ontjes	Storey
Dooley	Himebauch	Orr	Strippel
Doolittle	Hollis	Parsons	Vincent
Dotts	Huff	Peterson	Wamstad
Edge	Johnson	Potts	Weber
Edson	King	Quirk	Williams
Elliott	Knutson	Rankin	Wilson
Fackler	Lake	Rewoldt	Wolfe
Forsling	Lichty	Robson	Yenter
Gallagher	Long	Sampson	Mr. Speaker—78

The nays were:

Blume                      Stookesberry—2

Absent or not voting:

Alken	Garber of Adair	Letts	Rassler
Anderson of	Gesman	Lieberknecht	Rhinehart
Webster	Graham	Miller	Rumley
Berry	Hansen	Noble	Rust
Children	Hauge	Patterson	Schulte
Criswell	Held	Powers	Ulstad
Donhowe	Leonard	Ramsey	Venard—28
Frahm			

The House concurred in the Senate amendment to section 121 of House File No. 277.

Mr. McClune moved that the House refuse to concur in the Senate amendment adding section 129-a1 to the bill.

On the question "Shall the House concur?"

The ayes were:

Diltz	O'Donnell	Rumley	Strippel—9
Garber of Floyd	Potts	Smith of	
Lovrien	Rankin	Chickasaw	

The nays were:

Anderson of	Elliott	Lake	Rewoldt
Webster	Fackler	Lichty	Robson
Blake	Forsling	Lieberknecht	Rust
Blume	Gallagher	Long	Sampson
Bradley	Gibson	McClune	Saunders
Brady	Gilbert	Mathews	Schirmer
Brittain	Gilbertson	Matthiesen	Scott of
Buffington	Grimwood	Miller	Appanoose
Carter	Harrison	Moen	Scott of Fremont
Children	Hattendorf	Napier	Slemmons
Clark	Healy	Natvig	Smith of Lucas
Colbert	Held	Oliver	Stock
Cole	Hempel	Olson	Stookesberry
Criswell	Henderson	Ontjes	Storey
Dewar	Himebauch	Orr	Ulstad
Dooley	Hollis	Parsons	Weber
Doolittle	Huff	Patterson	Williams
Dotts	Johnson	Peterson	Wilson
Edge	King	Powers	Wolfe
Edson	Knutson	Quirk	Mr. Speaker—78

Absent or not voting:

Alken	Gilmore	Letts	Schulte
Berry	Graham	Noble	Venard
Donhowe	Hansen	Ramsey	Vincent
Frahm	Hauge	Rassler	Wamstad
Garber of Adair	Leonard	Rhinehart	Yenter—21
Gesman			

The House refused to concur in the Senate amendment adding section 129-a1 to House File No. 277.

Mr. McClune moved that the House refuse to concur in the Senate amendments to sections 132 and 144.

On the question "Shall the House concur?"

The ayes were:

Clark	Knutson	Moen	Rassler—5
Himebauch			

The nays were:

Anderson of	Diltz	Harrison	Lovrien
Webster	Dooley	Hattendorf	McClune
Berry	Doolittle	Hauge	Mathews
Blake	Dotts	Healy	Matthiesen
Blume	Edge	Held	Miller
Bradley	Edson	Hempel	Napier
Brady	Elliott	Henderson	Natvig
Brittain	Fackler	Hollis	Noble
Buffington	Forsling	Johnson	O'Donnell
Carter	Gallagher	King	Oliver
Children	Garber of Floyd	Lake	Olson
Colbert	Gibson	Lichty	Ontjes
Cole	Gilbert	Lieberknecht	Orr
Criswell	Grimwood	Long	Parsons

Patterson	Rust	Smith of	Vincent
Peterson	Sampson	Chickasaw	Wamstad
Potts	Saunders	Smith of Lucas	Weber
Powers		Stock	Williams
Quirk	Schirmer	Stookesberry	Wilson
Rankin	Scott of	Storey	Wolfe
Rewoldt	Appanoose	Strippel	Yenter
Robson	Scott of Fremont	Ulstad	Mr. Speaker—87
Rumley	Slemmons	Venard	

Absent or not voting:

Aiken	Garber of Adair	Graham	Letts
Dewar	Gesman	Hansen	Ramsey
Donhowe	Gilbertson	Huff	Rhinehart
Frahm	Gilmore	Leonard	Schulte—16

The House refused to concur in the Senate amendments to sections 132 and 144 of House File No. 277.

Mr. McClune moved that the House refuse to concur in the Senate amendment adding sections 185-a1 and 185-a2 to House File No. 277.

Yenter of Johnson offered the following amendment to the Senate amendment adding section 185-a1 and moved its adoption:

Amend Senate amendment adding section 185-a1 to House File No. 277 by striking out the word "according" in the last line thereof and inserting in lieu thereof the words "by a fine of not to exceed twenty-five dollars (\$25.00)".

Amendment to the Senate amendment rejected.

On the question "Shall the House concur in the Senate amendment adding sections 185-a1 and 185-a2?"

The ayes were:

Hauge	O'Donnell	Rankin	Vincent—7
Lake	Potts	Rewoldt	

The nays were:

Aiken	Criswell	Harrison	Long
Anderson of	Dewar	Hattendorf	Lovrien
Webster	Donhowe	Healy	McClune
Blake	Dooley	Held	Mathews
Blume	Dotts	Hempel	Matthiesen
Bradley	Edge	Henderson	Miller
Brady	Edson	Himebauch	Moen
Brittain	Elliott	Hollis	Napier
Buffington	Fackler	Huff	Natvig
Carter	Frahm	Johnson	Noble
Children	Gallagher	King	Oliver
Clark	Gibson	Knutson	Olson
Colbert	Gilbertson	Lichty	Ontjes
Cole	Grimwood	Lieberknecht	Orr

Parsons	Saunders	Smith of Lucas	Weber
Peterson	Schirmer	Stock	Williams
Powers	Scott of	Stookesberry	Wilson
Quirk	Appanoose	Storey	Wolfe
Rassler	Scott of Fremont	Strippel	Yenter
Robson	Slemmons	Ulstad	Mr. Speaker—84
Rumley	Smith of	Venard	
Rust	Chickasaw	Wamstad	
Sampson			

Absent or not voting:

Berry	Garber of Floyd	Graham	Patterson
Diltz	Gesman	Hansen	Ramsey
Doolittle	Gilbert	Leonard	Rhinehart
Forsling	Gilmore	Letts	Schulte—17
Garber of Adair			

The House refused to concur in the Senate amendment adding sections 185-a1 and 185-a2 to House File No. 277.

Mr. McClune moved that the House refuse to concur in the Senate amendment to section 195.

On the question "Shall the House concur?"

The ayes were:

Diltz	Himebauch	O'Donnell	Smith of
Doolittle	Knutson	Potts	Chickasaw—10
Elliott	Miller	Rankin	

The nays were:

Anderson of	Gibson	Mathews	Sampson
Webster	Gilbert	Matthiesen	Saunders
Blake	Gilbertson	Moen	Schirmer
Blume	Grimwood	Napier	Scott of
Bradley	Harrison	Natvig	Appanoose
Brady	Hattendorf	Noble	Slemmons
Brittain	Hauge	Oliver	Smith of Lucas
Buffington	Healy	Olson	Stock
Carter	Hempel	Ontjes	Stookesberry
Children	Henderson	Orr	Storey
Clark	Hollis	Parsons	Strippel
Colbert	Huff	Peterson	Ulstad
Cole	Johnson	Powers	Venard
Criswell	King	Quirk	Wamstad
Donhowe	Lichty	Rassler	Weber
Dooley	Lieberknecht	Rewoldt	Wilson
Dotts	Long	Robson	Wolfe
Edson	Lovrien	Rumley	Yenter
Fackler	McClune	Rust	Mr. Speaker—75
Gallagher			

Absent or not voting:

Aiken	Garber of Adair	Held	Rhinehart
Berry	Garber of Floyd	Lake	Schulte
Dewar	Gesman	Leonard	Scott of Fremont
Edge	Gilmore	Letts	Vincent
Forsling	Graham	Patterson	Williams—23
Frahm	Hansen	Ramsey	

The House refused to concur in the Senate amendment to section 195 of House File No. 277.

Mr. McClune moved that the House concur in the Senate amendment to section 199.

On the question "Shall the House concur?"

The ayes were:

Anderson of Webster	Gilbert Grimwood	Napier Natvig	Scott of Appanoose
Blake	Hattendorf	Noble	Scott of Fremont
Bradley	Hauge	O'Donnell	Slemmons
Brady	Healy	Oliver	Smith of Chickasaw
Brittain	Held	Olson	Smith of Lucas
Burkington	Hempel	Ontjes	Stock
Carter	Henderson	Orr	Stookesberry
Clark	Himebauch	Parsons	Storey
Colbert	Huff	Patterson	Strippel
Cole	King	Peterson	Ulstad
Donhowe	Knutson	Potts	Venard
Dooley	Lake	Quirk	Vincent
Doolittle	Lieberknecht	Rankin	Wamstad
Dotts	Long	Rewoldt	Weber
Elliott	Lovrien	Robson	Williams
Fackler	McClune	Rumley	Wolfe
Frahm	Mathews	Sampson	Yenfer
Gallagher	Matthiesen	Saunders	Mr. Speaker—78
Garber of Floyd	Moen	Schirmer	
Gibson			

The nays were:

Blume	Harrison	Miller	Rust
Children	Johnson	Rassler	Wilson—8

Absent or not voting:

Aiken	Edson	Graham	Lichty
Berry	Forsling	Hansen	Powers
Criswell	Garber of Adair	Hollis	Ramsey
Dewar	Gesman	Leonard	Rhinehart
Diltz	Gilbertson	Letts	Schulte—22
Edge	Gilmore		

The House concurred in the Senate amendment to section 199 of House File No. 277.

On request of Elliott of Scott, House File No. 262, a bill for an act to amend, revise, and codify sections thirteen hundred twenty-seven (1327) to thirteen hundred twenty-nine (1329), inclusive, thirteen hundred thirty-two (1332) to thirteen hundred thirty-four (1334), inclusive, thirteen hundred thirty-nine (1339) to thirteen hundred forty-four (1344), inclusive, fourteen hundred twelve (1412), fourteen hundred sixteen (1416) to fourteen hundred nineteen (1419), inclusive, fourteen hundred twenty-one

(1421) to fourteen hundred twenty-three (1423), inclusive, fourteen hundred twenty-five (1425), and fourteen hundred twenty-six (1426) of the compiled code of Iowa, and chapters six (6), twelve (12), and thirteen (13) of title six (6) of the compiled code of Iowa and the supplement to said code, and chapters six-A (6-A), seven (7), and seven-A (7-A) of title six (6), and sections thirteen hundred thirty (1330), thirteen hundred thirty-one (1331), thirteen hundred forty-five (1345), fourteen hundred thirteen (1413) to fourteen hundred fifteen (1415), inclusive, and fourteen hundred twenty (1420) of the supplement to the compiled code of Iowa, relating to the practice of certain professions affecting the public health, with Senate amendments, found in the House Journal of April 9th, was taken up and the amendments read and considered.

Mr. Elliott moved that the House refuse to concur in the Senate amendments.

On the question "Shall the House concur?"

The ayes were:

Dewar—1

The nays were:

Alken	Gibson	Miller	Saunders
Anderson of	Gilbert	Moen	Schirmer
Webster	Gilbertson	Napier	Scott of
Blake	Grimwood	Natvig	Appanoose
Blume	Harrison	Noble	Scott of Fremont
Bradley	Hattendorf	O'Donnell	Slemmons
Brady	Hauge	Oliver	Smith of
Brittain	Healy	Olson	Chickasaw
Buffington	Held	Ontjes	Smith of Lucas
Carter	Hempel	Orr	Stock
Children	Henderson	Parsons	Stookesberry
Cole	Himebauch	Patterson	Storey
Criswell	Huff	Peterson	Strippel
Diltz	Johnson	Potts	Ulstad
Donhowe	King	Powers	Venard
Dooley	Knutson	Quirk	Vincent
Doolittle	Lake	Rankin	Wamstad
Dotts	Lichty	Rassler	Weber
Edge	Lieberknecht	Rewoldt	Williams
Edson	Long	Robson	Wilson
Elliott	Lovrien	Rumley	Wolfe
Fackler	Mathews	Rust	Yenter
Gallagher	Matthiesen	Sampson	Mr. Speaker—90
Garber of Floyd			

Absent or not voting:

Berry	Colbert	Frahm	Gesman
Clark	Forsling	Garber of Adair	Gilmore

Graham  
Hansen  
Hollis

Leonard  
Letts

McClune  
Ramsey

Rhinehart  
Schulte—17

The House refused to concur in the Senate amendments to House File No. 262.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

**MR. SPEAKER:** Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files Nos. 134 and 220.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 134 and 220.

#### HOUSE REQUESTS RETURN OF SENATE FILE NO. 182

Forsling of Woodbury moved that the Senate be requested to return Senate File No. 182 to the House for further consideration by the House.

Motion prevailed.

#### CONSIDERATION OF BILLS

Senate File No. 121, a bill for an act to amend, revise, and codify chapters five (5) and eighteen (18) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to the county road, bridge, and culvert system, and taxation therefor and to toll bridges and ferries, and relating to the improvement of primary and county road systems and the issuance of bonds therefor, and anticipating primary road funds for primary road bonds, and county road funds for county road bonds, and relating to taxation for the payment of both kinds of said bonds and the interest thereon, and providing a method additional to that now provided by law for improvement and maintenance of primary and county roads, was taken up for further consideration.

By unanimous consent the amendments filed by Clark of Linn and Wolfe of Linn as a substitute for committee amendment No. 14, and found in the Journal of April 9th, were withdrawn from further consideration.

By unanimous consent the amendments filed by Johnson of Dickinson and found in the Journal of April 3d were withdrawn from further consideration.

Criswell of Boone moved that the House adjourn until 1:00 p. m. today.

Motion lost.

Edson of Buena Vista, Carter of Hardin, Clark of Linn, Wolfe of Linn, Robson of Greene, Lovrien of Humboldt and Johnson of Dickinson offered the following amendments as a substitute for committee amendment No. 14:

Amend Senate File No. 121 by substituting for amendment No. 14, proposed by House committee on roads and highways, and all pending amendments thereto, the following:

(1) Amend section 51 by inserting after the word "county" in line 2 thereof the words "having a population of more than seventy thousand (70,000)".

(2) Strike out all of sections 53 and 54.

(3) Strike from lines 4 and 5 of section 56 the words "which will not conflict with the federal aid law".

Slemmons of Buchanan moved the previous question on the question of making the substitution.

Motion prevailed.

On the question "Shall the amendments be substituted for committee amendment No. 14?"

The ayes were:

Blake	Edge	Hollis	Ontjes
Bradley	Edson	Knutson	Peterson
Brittain	Elliott	Lake	Potts
Buffington	Forsling	Letts	Powers
Carter	Gallagher	Lichty	Rankin
Children	Gibson	Long	Rewoldt
Clark	Gilmore	Lovrien	Robson
Colbert	Grimwood	McClune	Rumley
Cole	Hansen	Mathews	Rust
Diltz	Harrison	Napier	Sampson
Donhowe	Hauge	Noble	Saunders
Doolittle	Healy	O'Donnell	Schirmer
Dotts	Held	Olson	

Scott of Appanoose	Smith of Chickasaw	Strippel Ulstad	Williams Wolfe
Scott of Fremont	Stock	Venard	Yenter
Slemmons	Storey	Weber	Mr. Speaker—65

The nays were:

Aiken	Frahm	King	Parsons
Anderson of Webster	Gilbertson	Lieberknecht	Patterson
Blume	Hattendorf	Matthiesen	Quirk
Brady	Hempel	Miller	Rassler
Criswell	Henderson	Moen	Smith of Lucas
Dewar	Himebauch	Natvig	Stookesberry
Dooley	Huff	Oliver	Wamstad
Fackler	Johnson	Orr	Wilson—32

Absent or not voting:

Berry	Gesman	Leonard	Schulte
Garber of Adair	Gilbert	Ramsey	Vincent—11
Garber of Floyd	Graham	Rhinehart	

The amendments were substituted for committee amendment No. 14.

On motion of Williams of Montgomery the House adjourned until 1:30 p. m. today.

### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this twelfth day of April, 1924, sent to the Governor for his approval:

House Files Nos. 134 and 220.

C. F. LETTS, *Chairman*.

Report adopted.

### REPORT OF SPECIAL COMMITTEE

Letts of Washington, from the special committee appointed under Concurrent Resolution No. 17, submitted the following report:

MR. SPEAKER AND PRESIDENT OF THE SENATE: We, your committee appointed under Concurrent Resolution No. 17, beg leave to report that we have taken the matters covered by the resolution under consideration and report:

1. Two members of the committee consider the value of the land con-

tained in the Willetts' farm to be not less than \$225.00 per acre, one member considered it worth \$200.00 and one \$175.00.

2. We find the cultivated land on this farm to be in a high state of cultivation and it has received good care which has preserved its fertility. The improvements are such as to enable the state to take care of 35 to 40 patients with an additional investment variously estimated from \$3,000 to \$5,000.

The committee finds, upon the statement of Dr. Mackin and Senator McColl that by purchasing this farm and making the necessary improvements, the state would be relieved of the necessity of building an additional cottage to house inmates within the next three or four years at an estimated cost of \$60,000.

The committee is agreed that the state should have more good farm land and Senator Cessna is of the opinion that the state should purchase better land than the Willetts' farm.

As to terms and conditions, the committee is not in possession of definite information that this land can be purchased for a better price than \$225.00 per acre cash, but Senator Cessna states that he has reason to believe that this farm can be purchased for considerably less money.

Respectfully submitted.

C. F. LETTS,  
JOHN T. HANSEN,  
*For the House.*

P. C. HOLDOEGEL,  
T. C. CESSNA,  
*For the Senate.*

Passed on file.

#### BUSINESS PENDING

The House resumed consideration of Senate File No. 121.

The question before the House was on the substitute amendment for committee amendment No. 14.

On motion of Clark of Linn the substitute amendment was adopted.

Carter of Hardin offered the following amendment and moved its adoption:

Amend Senate File No. 121 by inserting as section 66-a1 the following:

"Sec. 66-a1. Any county having a population of seventy thousand (70,000) or less may adopt the additional method herein provided for the improvement of the roads of such county, but in any such county separate ballot boxes must be provided for the voters residing in cities and towns, and for the voters residing outside of cities and towns. The proposition submitted shall not be deemed to be carried in any such county unless a

majority vote cast is in favor thereof both in the incorporated and unincorporated territory."

Olson of Clinton moved the previous question on the pending amendment.

Motion prevailed.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Blake	Gibson	Lovrien	Rumley
Bradley	Gilbert	McClune	Rust
Brittain	Gilmore	Mathews	Sampson
Buffington	Grimwood	Moen	Schirmer
Carter	Hansen	Noble	Scott of Fremont
Clark	Hauge	O'Donnell	Slemmons
Cole	Healy	Olson	Stock
Diltz	Held	Ontjes	Storey
Donhowe	Himebauch	Orr	Strippel
Doolittle	Hollis	Peterson	Ulstad
Dotts	Johnson	Potts	Venard
Edge	King	Quirk	Weber
Edson	Knutson	Rankin	Wilson
Elliott	Lake	Rewoldt	Wolfe
Forsling	Lichty	Robson	Yenter—62
Gallagher	Long		

The nays were:

Aiken	Fackler	Lieberknecht	Saunders
Anderson of Webster	Frahm	Matthiesen	Scott of Appanoose
Berry	Garber of Floyd	Miller	Smith of Chickasaw
Blume	Gesman	Napier	Smith of Lucas
Brady	Gilbertson	Natvig	Stookesberry
Children	Harrison	Oliver	Vincent
Colbert	Hattendorf	Parsons	Wamstad
Criswell	Hempel	Patterson	Mr. Speaker—39
Dewar	Henderson	Powers	
Dooley	Huff	Rassler	
	Letts		

Absent or not voting:

Garber of Adair	Leonard	Rhinehart	Williams—7
Graham	Ramsey	Schulte	

Amendment by Carter of Hardin was adopted.

Johnson of Dickinson offered the following amendment and moved its adoption:

Amend Senate File No. 121 by inserting as section 60-a1 the following:

Sec. 60-a1. The maximum aggregate amount of bonds to be issued serially which any county shall be authorized to issue for improving the roads in the county road system shall not be, including interest, more than one-half of the sum which might be realized by the levies allowed by

law in that county for the county road, county drainage, county bridge and culvert funds during the period of years over which said bonds extend. Such maximum amount shall be determined from the millage allowed by law computed upon the assessed valuation of the real and personal property (exclusive of moneys and credits) in the county for the year last preceding the issuance of such bonds.

Amendment adopted.

Lovrien of Humboldt offered the following amendment and moved its adoption:

Amend Senate File No. 121 by adding as section 60-a2 the following:

Sec. 60-a2. If the funds so set apart for the payment of said bonds and interest are at the time of the maturity thereof insufficient to pay the same, refunding bonds may be issued for the payment of such deficiency. Such refunding bonds shall be issued on the same terms and conditions and be payable in the same manner as the original bonds.

Amendment adopted.

Wamstad of Mitchell offered the following amendment and moved its adoption:

Amend Senate File No. 121 by adding to section 60-a1 the following:

"The total sum of bonds issued for the purpose of improving primary roads by grading, draining, completing construction and graveling, shall not exceed one-half of the estimated receipts from the primary road fund for the period for which such bonds are issued. Such estimate shall be based upon the receipts in such fund in the county for the year last preceding the issuance of such bonds."

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Aiken	Fackler	Mathews	Rewoldt
Anderson of	Garber of Floyd	Miller	Robson
Webster	Gesman	Moen	Rust
Berry	Gibson	Napier	Scott of
Brady	Gilbertson	Natvig	Appanoose
Buffington	Harrison	Noble	Scott of Fremont
Carter	Hattendorf	Oliver	Slemmons
Children	Held	Olson	Smith of
Colbert	Hempel	Ontjes	Chickasaw
Criswell	Henderson	Parsons	Stock
Donhowe	Himebauch	Patterson	Stookesberry
Dooley	Huff	Peterson	Ulstad
Edge	Johnson	Quirk	Wamstad
Edson	King	Rassler	Wilson—55
Elliott	Long		

The nays were:

Blume	Brittain	Clark	Cole
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Diltz	Hollis	O'Donnell	Smith of Lucas
Döfts	Knutson	Orr	Storey
Forsling	Lake	Potts	Strippel <sup>a</sup>
Gallagher	Lefts	Powers	Venard
Gilbert	Lichty	Rankin	Weber
Grimwood	Lovrien	Sampson	Wolfe
Hansen	McClune	Saunders	Yenter
Hauge	Matthiesen	Schirmer	Mr. Speaker—37
Healy			

Absent or not voting:

Blake	Frahm	Leonard	Rumley
Bradley	Garber of Adair	Lieberknecht	Schulte
Dewar	Gilmore	Ramsey	Vincent
Doolittle	Graham	Rhinehart	Williams—16

Amendment by Wamstad of Mitchell was adopted.

The following amendments filed by Johnson of Dickinson were taken up and considered:

Amend Senate File No. 121 by inserting after section 50-a1 the following:

"That section twenty-nine hundred fifty-nine (2959) of the compiled code is amended, revised and codified to read as follows:

Sec. 50-a2: Payment for county road improvements.

The total cost of improving a county road in said secondary system within said district, by oiling, graveling or other suitable surfacing, shall be apportioned and paid in the proportion of seventy-five per cent from the county road cash fund and twenty-five per cent from assessments on benefited lands, or may, by agreement between the board of supervisors and all of the trustees of the township in which the road is located when the petition requests such method of payment, be paid as provided in the next succeeding section.

Sec. 50-a3. Payment for township secondary roads—maintenance.

The total cost of so improving a township road within said district shall be apportioned and paid in the proportion of twenty-five per cent from the county road cash fund, fifty per cent from the township road funds of the township or townships embracing said township road (according to their relative mileage) and twenty-five per cent from the special assessments on benefited lands.

A county road, after it is so improved, shall be maintained by the board of supervisors from the county road cash fund. A township road, after it is so improved, shall be maintained by the township trustees from township funds, unless the improvement is of so substantial and permanent a nature, as that the board of supervisors shall by resolution add such road to the county road system, to be maintained as such."

Also amend the title by inserting after the figures (11) the following: "and section twenty-nine hundred fifty-nine (2959)".

On motion of Mr. Johnson the amendments were adopted.

Oliver of Monona offered the following amendment and moved its adoption:

Amend Senate File No. 121 by striking out all of section fifty-eight (58) and insert in lieu thereof the following:

"Sec. 58. The proposition for the improvement of primary roads and of county roads shall be submitted to a vote of the people by the board as separate propositions and upon separate ballots."

Forsling of Woodbury moved the previous question on the pending amendment.

Motion prevailed.

Amendment by Oliver of Monona was rejected.

Dooley of Van Buren offered the following amendment and moved its adoption:

Amend Senate File No. 121 by inserting immediately after section 30 the following:

Sec. 30-a1. Liability of county for damages.

After the board of supervisors has been notified that any bridge or bridges included in subsection 3 of the preceding section are out of repair and they neglect to put the same in repair, the said county shall be liable for damage.

Amendment was rejected.

By unanimous consent the amendments filed by Himebauch of Emmet on April 3d were withdrawn.

Edson of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blake	Gesman	Lichty	Saunders
Brittain	Gibson	Lovlien	Schirmer
Buffington	Gilbert	McClune	Scott of Fremont
Carter	Gilbertson	Mathews	Slemmons
Clark	Gilmore	O'Donnell	Smith of
Colbert	Grimwood	Olson	Chickasaw
Cole	Hansen	Ontjes	Stock
Diltz	Hauge	Peterson	Storey
Donhowe	Healy	Potts	Strippel
Doolittle	Henderson	Powers	Ulstad
Edge	Hollis	Quirk	Weber
Edson	Johnson	Rankin	Wilson
Elliott	King	Rewoldt	Wolfe
Forsling	Knutson	Robson	Yenter
Gallagher	Lake	Rust	Mr. Speaker—62
Garber of Floyd	Letts	Sampson	

The nays were:

Alken	Dotts	Long	Parsons
Anderson of Webster	Fackler	Matthiesen	Patterson
Berry	Harrison	Miller	Rassler
Blume	Hattendorf	Moen	Scott of
Brady	Held	Napier	- Appanoose
Children	Hempel	Natvig	Smith of Lucas
Criswell	Himebauch	Noble	Stookesberry
Dewar	Huff	Oliver	Venard
Dooley	Lieberknecht	Orr	Wamstad—35

Absent or not voting:

Bradley	Graham	Rhinehart	Vincent
Frahm	Leonard	Rumley	Williams—11
Garber of Adair	Ramsey	Schulte	

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Clark of Linn moved to reconsider the vote by which Senate File No. 121 passed the House and lay the motion to reconsider upon the table.

Motion prevailed.

On request of Gilbert of Marshall, unanimous consent having been obtained, House File No. 121 was withdrawn from further consideration by the House.

#### HOUSE RESOLUTION

The following resolution was offered:

*Whereas*, Serious complaints have been made from many sources in the state that the superintendent of public instruction has made certain rulings in regard to the qualifications of teachers and the accrediting of schools, which are not in accordance with law or precedent, and, if persisted in will result in depriving many faithful and efficient teachers of their positions and the schools of the benefit of their services as well as the benefit of state aid to such schools. That said rulings are also likely to result in a great injustice to many pupils, depriving them of the benefit of being admitted to the higher institutions on proof of graduation in accredited schools; and

*Whereas*, Certain charges including illegal and arbitrary conduct on the part of the superintendent of public instruction have been made editorially in the press; and

*Whereas*, In justice to the state superintendent of public instruction, and for the welfare of the educational interests of the state it is most desirable that these matters be investigated and if the said charges are unfounded they should be refuted and if true, steps should be taken at once to provide remedies; therefore,

*Be It Resolved by the House of Representatives:* That the matter be referred to the judiciary committee for investigation and report of the facts together with its recommendations.

That said committee is authorized to subpoena such witnesses and cause the production of such documentary evidence as in its judgment may be necessary to determine the truth of the matters before it.

RAY YENTER,  
JOHN BRADLEY,  
E. P. HEALY,  
G. E. HELD,  
J. P. GALLAGHER.

Passed on file.

#### REPORTS OF COMMITTEES

McClune of Mahaska, from the committee on constitutional amendments, submitted the following report:

MR. SPEAKER: Your committee on constitutional amendments to whom was referred House Joint Resolution No. 5, proposing an amendment to the constitution of the state of Iowa, prohibiting the legislature from granting any annuity, bonus or pension, beg leave to report they have 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. McCLUNE, *Acting Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on constitutional amendments to whom was referred House Joint Resolution No. 6, proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, relating to the apportionment of the state into senatorial 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 do pass.

J. C. McCLUNE, *Acting Chairman.*

Report 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 insists on its amendments to Substitute for House File No. 178, a bill for an act relating to municipal corporations, requests a conference committee, and the President has appointed as members of such committee on the part of the Senate, Senators Haskell, Fulton, Baird and Schmedika.

Also, that the Senate returns as requested Senate File No. 182, a bill for an act relating to municipal corporations.

Also, 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 to make appropriations for the payment of state and other expenses.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 313, a bill for an act to legalize a certain warrant issued by the board of supervisors of Monroe county, Iowa.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 319, a bill for an act relating to persons subject to poll tax in townships.

Also, 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 relating to evidence.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 54-A, a bill for an act to amend substitute for House File No. 54, acts of the Fortieth General Assembly in special session, relating to fish and game.

Also, 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 the construction and operation of railways.

LEON W. AINSWORTH, *Secretary*.

#### SENATE AMENDMENTS TO HOUSE FILE NO. 190

Amend section 8 by changing the period at the end thereof to a semicolon and adding the following: "and to recover the same it shall only be necessary for him to prove the loss of or injury to his property."

Amend by striking out all of section 27 and substituting in lieu thereof the following:

"Sec. 27. Maintenance of bridges—damages.

Every railroad company shall build, maintain, and keep in good repair all bridges, abutments or other construction necessary to enable it to cross over or under any canal, water course, other railway, public highway, or other way, except as otherwise provided by law, and shall be liable for all damages sustained by any person by reason of any neglect or violation of the provisions of this section."

#### SENATE MESSAGES CONSIDERED

Senate File No. 313, a bill for an act to legalize a certain warrant issued by the board of supervisors of Monroe county, Iowa.

Read first and second times and referred to committee on judiciary.

Senate File No. 319, a bill for an act to make appropriations for the payment of state and other expenses.

Read first and second times and referred to committee on appropriations.

CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 125

MR. SPEAKER: Your conference committee on Senate File No. 125 beg leave to submit the following recommendations:

1. That the House recede from its amendments to the title.
2. That section 1 of the bill be stricken and the following be inserted in lieu thereof:

"Section 1. Duty to enforce.

The provisions of this chapter shall be enforced:

1. By the board of supervisors as to all county and primary roads.
2. By the councils and commissioners of all cities and towns, irrespective of their local form of government, as to all roads, streets, and other lands within said cities and towns.
3. By the township trustees as to all township roads and as to all other lands, including railroad lands, within the township not embraced in paragraphs one (1) and two (2) hereof."
3. That the Senate concur in House amendment to section 2.
4. That section 3 be amended by inserting after the word "land" in line 2, a comma (,) and the words "including railroad lands".

Also by striking out of lines 11, 12 and 13 of subsection 2 of section 3 the words "near the surface of the ground, between July first and August first of each year, or sooner if necessary to prevent the maturity of the weeds" and insert in lieu thereof the words, "or destroyed in the manner and at the time prescribed by the board of supervisors".

5. That the words "or private lands" be stricken from the House amendment to section 5 and that the Senate concur in the House amendments to sections 5, 6 and 6-a1.
6. That the House recede from its amendment to line 3 of section 7.
7. That the Senate concur in the other House amendments to section 7.
8. That the House recede from its amendments to section 9 and that sections 9 and 9-a1 be stricken and the following inserted in lieu thereof:

"Section 9. Notice of assessment.

Before making said assessment, thirty (30) days' notice shall be given such owner of the time and place of meeting of the trustees, council, commissioners, or board of supervisors, which notice shall also contain a statement of the work done and the expense thereof with costs, and shall be given by posting a copy thereof on the premises affected and by mailing a copy thereof by registered mail to the last known address of the person owning or controlling the same. At such time and place such owner may appear with the same rights given by law before boards of review upon increase in assessments."

9. That the bill be amended by inserting as sections 10, 10-a1 and 10-a2 the following:

"Section 10. Duty to make complaint.

It shall be the duty of all officers directly responsible for the care of public highways to make complaint to the proper township trustees or town councils or commissioners or board of supervisors, as the case may be, whenever it shall appear that the provisions of section 3 thereof may not be complied with in time to prevent the blooming and maturity of noxious weeds or the unlawful growth of weeds, whether in the streets or highways for which they are responsible or upon lands adjacent to the same.

Section 10-a1. Report—to whom made.

It shall be the duty of the township clerk, between the fifteenth and thirtieth days of October of each year, to make report to the board of supervisors of the county in which his township is situated as to the presence and location of noxious weeds that have been reported or found within the township and the steps taken to bring about the destruction thereof, a copy of which report shall be forwarded to the board of supervisors to be kept on file and a copy of the same to be forwarded by them to the secretary of agriculture not later than the first day of December following.

Section 10-a2. Complaint—duty of county attorney.

It shall be the duty of the county attorney, upon complaint of any citizen that any officer charged with the enforcement of the provisions of this chapter has neglected or failed to perform his duty, to enforce the performance of such duty."

J. A. KING,  
W. C. CHILDREN,  
FRANCIS JOHNSON,  
G. L. VENARD,

*Conferees on part of House.*

W. J. GOODWIN,  
O. L. MEAD,  
H. C. WHITE,  
JAS. F. JOHNSTON,

*Conferees on part of Senate.*

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on April 12th, approved the following bills: House Files Nos. 289, 314, 312, 311, 307, 305, 287 and 310.

#### CONFERENCE COMMITTEE APPOINTED

As a conference committee on Substitute for House File No. 178, the Speaker appointed the following members on the part of the

House: Himebauch of Emmet, Venard of Sioux, Blake of Fayette and Edson of Buena Vista.

MOTION TO RECONSIDER SENATE FILE NO. 182

Forsling of Woodbury moved to reconsider the vote by which Senate File No. 182 passed the House.

On the question "Shall the House reconsider the vote by which Senate File No. 182 passed the House?"

The ayes were:

Anderson of Webster	Garber of Floyd	Moen	Schirmer
Blake	Gibson	Napier	Scott of Appanoose
Bradley	Gilbert	Noble	Scott of Fremont
Brady	Gilmore	O'Donnell	Smith of Chickasaw
Brittain	Grimwood	Oliver	Stock
Buffington	Hattendorf	Olson	Storey
Carter	Hauge	Parsons	Strippel
Clark	Healy	Peterson	Venard
Cole	Hempel	Potts	Vincent
Dewar	Henderson	Powers	Wamstad
Diltz	Himebauch	Quirk	Weber
Donhowe	Hollis	Rankin	Williams
Dotts	King	Rewoldt	Wilson
Edson	Knutson	Robson	Wolfe
Fackler	Lichty	Rumley	Yenter
Forsling	Lieberknecht	Rust	Mr. Speaker—71
Frahm	Long	Sampson	
Gallagher	Lovrien	Saunders	
	Mathews		

The nays were:

Aiken	Criswell	Miller	Smith of Lucas
Berry	Dooley	Ontjes	Stookesberry—11
Blume	Matthiesen	Orr	

Absent or not voting:

Children	Gilbertson	Lake	Ramsey
Colbert	Graham	Leonard	Rassler
Doolittle	Hansen	Letts	Rhinehart
Edge	Harrison	McClune	Schulte
Elliott	Held	Natvig	Slemmons
Garber of Adair	Huff	Patterson	Ulstad—26
Gezman	Johnson		

Motion prevailed and the House reconsidered the vote by which Senate File No. 182 passed the House.

Forsling of Woodbury moved to reconsider the vote by which Senate File No. 182 passed to its third reading.

Motion prevailed.

## AMENDMENT FILED

Storey of Warren filed the following amendment to the Senate amendments to House File No. 90:

Amend the second Senate amendment to House File No. 90 by striking out the period after the last word thereof, and inserting a comma and the following words to-wit: "provided that the state board of education shall not contract for this purpose for the expenditure of more than \$5,000 in any one county, nor in the aggregate for more than \$20,000 during any one year."

Brittain of Madison moved that the House adjourn until 10:00 a. m. Monday.

Moen of Lyon moved to amend the motion by changing the hour from 10:00 a. m. to 9:00 a. m.

Amendment adopted.

Motion of Brittain of Madison, as amended, prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 14, 1924.

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

Prayer was offered by the Rev. C. C. Dillavau, pastor of Castle Memorial U. B. church, Des Moines.

Journal of April 12th corrected and approved.

## LEAVE OF ABSENCE

On motion of Dooley of Van Buren, Frahm of Carroll was excused for the day.

On motion of Donhowe of Story, Bradley of Poweshiek was excused for the day.

On motion of Napier of Ringgold, Leonard of Taylor was excused for the day.

On motion of King of Clay, Quirk of Sac was excused for the day.

On motion of Dotts of Wayne, Carter of Hardin was excused for the day.

On motion of Wamstad of Mitchell, Patterson of Kossuth was excused until Wednesday.

On motion of Moen of Lyon, Edson of Buena Vista was excused for the day.

On motion of Williams of Montgomery, Clark of Linn was excused for the day.

On motion of Garber of Adair, Vincent of Guthrie was excused for the day.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 9 and 247.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

Speaker pro tempore Ontjes in the chair.

## PROOF OF PUBLICATION OF HOUSE FILE NO. 324

The official proof of publication of House File No. 324, a proposed bill for an act to legalize the transfer of funds by the board of supervisors of Wapello county, Iowa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## PROOF OF PUBLICATION OF HOUSE FILE NO. 323

The official proof of publication of House File No. 323, a proposed bill for the legalization of the bonds for the extension of the waterworks system, held in Ames, Iowa, on the 30th day of April, 1923, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

## CONSIDERATION OF BILL

Senate File No. 182, a bill for an act to amend, revise, and codify sections four thousand two hundred ninety-nine (4299), four thousand three hundred six (4306), four thousand three hundred ten (4310), four thousand three hundred eighteen (4318), four thousand three hundred twenty (4320) to four thousand three hundred twenty-two (4322), inclusive, four thousand three hundred twenty-four (4324), four thousand three hundred twenty-five (4325), four thousand three hundred twenty-seven (4327), four thousand three hundred thirty (4330), four thousand three hundred thirty-six (4336), four thousand three hundred forty-five (4345), four thousand three hundred forty-six (4346), four thousand three hundred forty-eight (4348) to four thousand three hundred fifty (4350), inclusive, four thousand three hundred fifty-two (4352) to four thousand three hundred fifty-five

(4355), inclusive, four thousand three hundred fifty-seven (4357), four thousand three hundred fifty-nine (4359) to four thousand three hundred sixty-one (4361), inclusive, four thousand three hundred sixty-four (4364), four thousand three hundred sixty-five (4365), four thousand three hundred sixty-nine (4369), four thousand three hundred seventy-nine (4379) to four thousand three hundred eighty-three (4383), inclusive, four thousand three hundred ninety-two (4392) to four thousand three hundred ninety-five (4395), inclusive, four thousand four hundred (4400) to four thousand four hundred two (4402), inclusive, four thousand four hundred four (4404), four thousand four hundred six (4406) to four thousand four hundred eight (4408), inclusive, four thousand four hundred ten (4410), four thousand four hundred twelve (4412) to four thousand four hundred fourteen (4414), inclusive, four thousand four hundred seventeen (4417), four thousand four hundred forty (4440) to four thousand four hundred forty-four (4444), inclusive, of the compiled code of Iowa, and sections four thousand three hundred twenty-three (4323), four thousand three hundred twenty-eight (4328), four thousand three hundred twenty-nine (4329), four thousand three hundred forty-seven (4347), four thousand three hundred fifty-one (4351), four thousand three hundred fifty-six (4356), four thousand three hundred fifty-eight (4358), four thousand three hundred seventy-eight (4378), four thousand three hundred ninety-four-a one (4394-a1), four thousand four hundred nine (4409), four thousand four hundred forty-a one (4440-a1), four thousand four hundred sixty-eight (4468), and four thousand four hundred sixty-eight-a one (4468-a1) of the supplement to said code, relating to municipal corporations, and to repeal section four thousand eighty-five (4085) of the compiled code, relating to plats, was taken up for consideration.

Forsling of Woodbury offered the following amendment and moved its adoption:

Amend Senate File No. 182 by striking therefrom section 25 and the five (5) lines preceding said section.

Amendment adopted.

Mr. Forsling moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

## On the question "Shall the bill pass?"

The ayes were:

Anderson of	Gilbert	Lieberknecht	Sampson
Webster	Gilbertson	Long	Saunders
Berry	Grimwood	Lovrien	Schirmer
Blake	Hansen	Mathews	Schulte
Brady	Harrison	Moen	Scott of
Brittain	Hattendorf	Napier	Appanoose
Buffington	Hauge	Natvig	Scott of Fremont
Children	Healy	Noble	Smith of
Colbert	Held	O'Donnell	Chickasaw
Cole	Hempel	Oliver	Smith of Lucas
Criswell	Henderson	Olson	Stock
Dooley	Himebauch	Ontjes	Stookesberry
Doolittle	Hollis	Parsons	Storey
Dotts	Huff	Peterson	Strippel
Edge	Johnson	Powers	Ulstad
Fackler	King	Ramsey	Venard
Forsling	Knutson	Rankin	Weber
Gallagher	Lake	Rewoldt	Williams
Garber of Floyd	Letts	Robson	Wilson
Gibson	Lichty	Rust	Yenter—77

The nays were:

Blume—1

Absent or not voting:

Aiken	Donhowe	Leonard	Rassler
Anderson of	Edson	McClune	Rhinehart
Winnebago	Elliott	Matthiesen	Rumley
Bradley	Frahm	Miller	Slemmons
Carter	Garber of Adair	Orr	Vincent
Clark	Gesman	Patterson	Wamstad
Dewar	Gilmore	Potts	Wolfe—30
Diltz	Graham	Quirk	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## CONSIDERATION OF SENATE AMENDMENTS

On request of Lake of Woodbury, House File No. 190, a bill for an act to amend, revise, and codify sections forty-nine hundred eighty-two (4982), fifty hundred two (5002) to fifty hundred seven (5007), inclusive, fifty hundred twelve (5012), fifty hundred thirteen (5013), fifty hundred fifty-one (5051), fifty hundred fifty-two (5052), fifty hundred sixty-five (5065), fifty hundred seventy-two (5072), fifty hundred seventy-four (5074), fifty hundred seventy-five (5075), fifty hundred seventy-eight (5078), fifty hundred eighty (5080) to fifty hundred eighty-five (5085), inclusive, fifty-one hundred one (5101) to fifty-one hundred

three (5103), inclusive, fifty-one hundred five (5105) to fifty-one hundred seven (5107), inclusive, fifty-one hundred seventy-one (5171), fifty-one hundred seventy-two (5172) of the compiled code of Iowa, and fifty-one hundred seventy-two-a one (5172-a1) to fifty-one hundred seventy-two-a four (5172-a4), inclusive, of the supplement to said code, relating to the construction and operation of railways, with Senate amendments, found in the House Journal of April 12th, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Gilbertson	Moen	Schirmer
Webster	Grimwood	Napier	Schulte
Berry	Harrison	Natvig	Scott of
Blake	Hattendorf	Noble	Appanoose
Blume	Healy	O'Donnell	Scott of Fremont
Brady	Held	Oliver	Slemmons
Brittain	Hempel	Olson	Smith of
Children	Henderson	Ontjes	Chickasaw
Colbert	Hollis	Orr	Smith of Lucas
Cole	Huff	Parsons	Stock
Criswell	Johnson	Peterson	Stookesberry
Dooley	King	Powers	Storey
Doolittle	Knutson	Ramsey	Strippel
Dotts	Lake	Rankin	Ulstad
Edge	Letts	Rassler	Venard
Fackler	Lichty	Rewoldt	Wamstad
Forsling	Lieberknecht	Robson	Weber
Gallagher	Long	Rust	Williams
Garber of Floyd	Lovrien	Sampson	Wilson
Gibson	Mathews	Saunders	Yenter—78
Gilbert			

The nays were, none.

Absent or not voting:

Aiken	Diltz	Graham	Patterson
Anderson of	Donhowe	Hansen	Potts
Winnebago	Edson	Hauge	Quirk
Bradley	Elliott	Himebauch	Rhinehart
Buffington	Frahm	Leonard	Rumley
Carter	Garber of Adair	McClune	Vincent
Clark	Gesman	Matthiesen	Wolfe—30
Dewar	Gilmore	Miller	

The House concurred in the Senate amendments to House File No. 190.

## CONSIDERATION OF JOINT RESOLUTION

House Joint Resolution No. 6, joint resolution proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, relating to the apportionment of the state into senatorial districts, with report of committee recommending passage, was taken up for consideration.

Children of Pottawattamie moved that the joint resolution be read a third time now and placed upon its passage, which motion prevailed and the joint resolution was read a third time.

## HOUSE JOINT RESOLUTION NO. 6

Joint resolution proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, relating to the apportionment of the state into senatorial districts.

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

Section 1. That the following amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa be and the same is hereby proposed:

That the period (.) at the end of said section thirty-four (34) of article three (3) of the constitution of the state of Iowa be stricken and the following inserted: ", but no county shall be entitled to more than one (1) senator."

Sec. 2. Be It Further Resolved that the foregoing proposed amendment be and the same is hereby referred to the legislature to be chosen at the next general election for members of the next general assembly, and that the secretary of state cause the same to be published for three (3) months previous to the date of said election as provided by law.

On the question "Shall the joint resolution pass?"

The ayes were:

Anderson	Fackler	King	Robson
of Webster	Forsling	Knutson	Rust
Berry	Garber of Floyd	Lichty	Saunders
Blake	Gilbertson	Lieberknecht	Scott
Blume	Gilmore	Long	of Appanoose
Brady	Graham	Moen	Scott of Fremont
Brittain	Hansen	Napier	Slemmons
Buffington	Harrison	Natvig	Smith of Lucas
Children	Hattendorf	Noble	Stookesberry
Colbert	Healy	Oliver	Storey
Cole	Held	Ontjes	Ulstad
Criswell	Henderson	Orr	Venard
Dewar	Himebauch	Peterson	Wamstad
Donhowe	Hollis	Powers	Williams
Dooley	Huff	Rassler	Wilson—\$1
Dotts	Johnson	Rewoldt	

The nays were:

Diltz	Hauge	O'Donnell	Schulte
Doolittle	Hempel	Olson	Smith
Gallagher	Lake	Parsons	of Chickasaw
Garber of Adair	Letts	Rankin	Stock
Gibson	Lovrien	Rumley	Strippel
Gilbert	Mathews	Sampson	Weber
Grimwood	Mattiesen	Schirmer	Yenter—27

Absent or not voting:

Alken	Edge	Leonard	Quirk
Anderson	Edson	McClune	Ramsey
of Winnebago	Elliott	Miller	Rhinehart
Bradley	Frahm	Patterson	Vincent
Carter	Gesman	Potts	Wolfe—20
Clark			

So the joint resolution having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CONSIDERATION OF BILLS

House File No. 325, a bill for an act making an appropriation for the Iowa State College of Agriculture and Mechanic Arts, was taken up for consideration.

Himebauch of Emmet moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blume	Graham	Lovrien	Schirmer
Brady	Grimwood	Mathews	Schulte
Brittain	Harrison	Matthiesen	Scott of
Buffington	Hattendorf	Moen	Appanoose
Children	Hauge	Napler	Scott of Fremont
Colbert	Healy	Natvig	Slemmons
Cole	Held	O'Donnell	Smith of
Criswell	Hempel	Oliver	Chickasaw
Dewar	Henderson	Olson	Stock
Dooley	Himebauch	Ontjes	Storey
Doolittle	Hollis	Peterson	Strippel
Dotts	Johnson	Powers	Ulstad
Elliott	King	Ramsey	Venard
Fackler	Knutson	Rankin	Wamstad
Gallagher	Lake	Rewoldt	Weber
Garber of Adair	Letts	Robson	Williams
Garber of Floyd	Lichty	Rust	Wilson
Gibson	Lieberknecht	Sampson	Wolfe
Gilbert	Long	Saunders	Yenter—75
Gilmore			

The nays were:

Forsling	Parsons	Smith of Lucas	Stookesberry—4
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Absent or not voting:

Aiken	Carter	Gilbertson	Patterson
Anderson of Webster	Clark	Hansen	Potts
Anderson of Winnebago	Diltz	Huff	Quirk
Berry	Donhowe	Leonard	Rassler
Blake	Edge	McClune	Rhinehart
Bradley	Edson	Miller	Rumley
	Frahm	Noble	Vincent—29
	Gesman	Orr	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE JOINT RESOLUTION NO. 5 INDEFINITELY POSTPONED

The report of the committee on constitutional amendments, recommending indefinite postponement of House Joint Resolution No. 5, was taken up and considered.

Forsling of Woodbury moved that action on the report of the committee be deferred until Tuesday.

Motion lost.

On the question "Shall the report of the committee be adopted?" a roll call was demanded.

The ayes were:

Anderson of Winnebago	Gilbert	Lichty	Rust
Colbert	Graham	Lieberknecht	Sampson
Cole	Grimwood	Lovrien	Saunders
Criswell	Hansen	Natvig	Schirmer
Dewar	Hauge	O'Donnell	Schulte
Diltz	Healy	Olson	Smith of Chickasaw
Doolittle	Held	Peterson	Stock
Edge	Henderson	Potts	Strippel
Elliott	Himebauch	Ramsey	Weber
Forsling	Hollis	Rankin	Williams
Gallagher	Johnson	Rhinehart	Yenter—49
Garber of Adair	Lake	Robson	
	Letts	Rumley	

The nays were:

Aiken	Buffington	Gilbertson	Mathews
Anderson of Webster	Children	Gilmore	Matthiesen
Berry	Donhowe	Harrison	Napier
Blake	Dooley	Hattendorf	Noble
Blume	Dotts	Hempel	Oliver
Brady	Fackler	Huff	Ontjes
Brittain	Garber of Floyd	King	Orr
	Gibson	Long	Parsons

Rassler	Scott of	Smith of Lucas	Venard
Rewoldt	Appanoose	Stookesberry	Wamstad
Powers	Scott of Fremont	Storey	Wilson
	Slemmons	Ulstad	Wolfe—45

## Absent or not voting:

Bradley	Frahm	McClune	Patterson
Carter	Gesman	Miller	Quirk
Clark	Knutson	Moen	Vincent—14
Edson	Leonard		

Motion prevailed, the report of the committee was adopted, and House Joint Resolution No. 5 was indefinitely postponed.

Forsling of Woodbury moved to reconsider the vote by which the report of the committee on House Joint Resolution No. 5 was adopted and lay the motion to reconsider on the table.

On the question "Shall the vote by which the report of the committee on House Joint Resolution No. 5 was adopted be reconsidered and the motion to reconsider be laid on the table?" a roll call was demanded.

## The ayes were:

Anderson of	Hauge	O'Donnell	Schirmer
Winnabago	Healy	Olson	Schulte
Cole	Held	Orr	Scott of Fremont
Dewar	Henderson	Parsons	Smith
Diltz	Himebauch	Peterson	of Chickasaw
Doolittle	Hollis	Potts	Stock
Edge	Knutson	Powers	Strippel
Elliott	Lake	Ramsey	Wamstad
Forsling	Letts	Rankin	Weber
Gallagher	Lichty	Robson	Williams
Gilbert	Lieberknecht	Rumley	Wilson
Graham	Lovrien	Rust	Yenter—52
Grimwood	Moen	Sampson	
Hansen	Natvig	Saunders	

## The nays were:

Anderson	Donhowe	Hempel	Rassler
of Webster	Dooley	Huff	Rewoldt
Berry	Dotts	Johnson	Scott
Blake	Fackler	Long	of Appanoose
Blume	Garber of Floyd	Mathews	Slemmons
Brittain	Gibson	Matthiesen	Smith of Lucas
Buffington	Gilbertson	Napier	Stookesberry
Children	Gilmore	Noble	Storey
Colbert	Harrison	Oliver	Ulstad
Criswell	Hattendorf	Ontjes	Wolfe—38

## Absent or not voting:

Alken	Edson	Leonard	Quirk
Bradley	Frahm	McCluns	Rhinehart
Brady	Garber of Adair	Miller	Venard
Carter	Gesman	Patterson	Vincent—18
Clark	King		

Motion prevailed, and the motion to reconsider was laid on the table.

## INTRODUCTION OF JOINT RESOLUTION

House Joint Resolution No. 7, by Venard of Sioux, joint resolution providing for the publication of House File No. 100, an act relating to education—school districts, and House File No. 110, an act relating to education—school funds and bonds,

Whereas, Conditions exist which make it desirable that House File No. 100, an act relating to education—school districts, and House File No. 110, an act relating to education—school funds and bonds, passed by the special session of the Fortieth General Assembly become effective at once in order to give the people of the state of Iowa the benefit thereof, therefore,

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

Section 1. Publication clause. That House File No. 100 and House File No. 110, bills passed by the special session of the Fortieth General Assembly and approved by the Governor, being deemed of immediate importance shall take effect and be in full force from and after their publication in the Des Moines News and The Iowa Forum, newspapers published in the city of Des Moines, Iowa, and the secretary of state is hereby authorized and directed to cause House File No. 100 and House File No. 110 to be published as provided herein.

Read first and second times and passed on file.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

Substitute for House File No. 185, a bill for an act relating to drainage.

LEON W. AINSWORTH, *Secretary.*

## SENATE AMENDMENTS TO SUBSTITUTE FOR HOUSE FILE NO. 185

(1) Amend the subenacting clause by inserting the words "of title fifteen" immediately after the words "two-a (2-a)" so that the first two lines of the enacting clause will read as follows:

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

That chapters one (1), two (2) and two-a (2-a) of title fifteen of the compiled".

(2) Amend by striking section 3 from the bill.

(3) Amend section 6 of the bill by striking therefrom all of the section before the word "improvement" in the second line thereof and by inserting in lieu thereof the following:

"Any person or persons whose lands will be affected by, or assessed for the expenses of, the proposed".

(4) Amend section 18 of the bill by striking therefrom the last sentence thereof as follows:

"This instrument when filed as above provided shall apply to all subsequent proceedings under this act", and by inserting in lieu thereof the following:

"This designation when filed shall be in force for a period of five years thereafter and shall apply to all proceedings under this act during such period. The person, company or corporation making such designation shall have the right to change the agent appointed therein or to amend it in any other particular."

(5) Amend section 22 of the bill by inserting immediately after the word "hearing" in line 4 thereof the words "as hereinbefore provided".

(6) Amend section 23 by striking from line 7 thereof the words "effect the reclamation of" and by inserting in lieu thereof the words "materially benefit".

(7) Amend section 25 by striking from line 1 thereof the words "effect the drainage or protection from overflow of said lands, will" and by inserting in lieu thereof the words "materially benefit said lands, will".

(8) Amend section 26 by striking from line 4 thereof the words "each acreage taken for right of way" and by inserting in lieu thereof the words "the acreage of each owner taken for right of way for open ditches".

(9) Amend section 27 by striking from lines 3 and 4 thereof the following words: "and determine the amount of damages and compensation due each claimant," also by striking from line 5 thereof the words "the board".

(10) Amend by striking section 27-a from the bill.

(11) Amend section 27-b by inserting after the word "district" in line 2 thereof the words "or when an appeal is taken or litigation brought against said district, within two years from the date, such appeal or litigation is finally determined."

(12) Amend section 27-a1 of the bill by striking from line 3 thereof the following "as a commissioner, who shall" and by inserting in lieu thereof the word "to".

Also amend section 27-a1 of the bill by striking from line 5 thereof the word "shall".

(13) Amend section 30 by striking the period (.) at the end thereof, and by inserting in lieu thereof a comma (,) and the following words: "but the engineer appointed to have charge of the construction shall not have been in any way interested in the making of the preliminary survey or report to the board of supervisors."

(14) Amend section 33 by inserting after the word "on" in line 12 thereof the words "and certified by"; and also by inserting after the word "order" in line 13 thereof the words "at his office".

(15) Amend section 35 by inserting after the word "on" in line 3 thereof the words "and certified by" and also by inserting after the word "Iowa" in line 3 the words "payable to the auditor or his order at his office".

(16) Amend section 36 by striking from lines 4 and 5 the words "twenty-five per cent (25%)" and by inserting in lieu thereof the words "seventy-five per cent (75%)".

(17) Amend section 38 by inserting a comma (,) after the word "or" in line 2 and also the following "unless otherwise provided by law"; also by striking the word "repair" from line 3.

(18) Amend section 40 of the bill by striking from line 5 thereof the word "districts" and by inserting in lieu thereof the word "description".

(19) Amend section 43 by striking from lines 7, 8 and 9 thereof the following: "county roads out of the country road or county drainage fund and against township roads out of the", and by inserting in lieu thereof the following: "all other highways, one-fourth out of the county road fund or county drainage fund, and three-fourths out of the".

(20) Amend section 44 by striking from line 8 thereof the words "Specifying the" and by inserting in lieu thereof the word "The".

(21) Amend section 45 by inserting after the comma (,) in line 3 the following: "naming him".

Also by inserting after the comma (,) in line 4 the following "without naming him".

(22) Amend section 46 by striking from line 20 the words "not to exceed".

(23) Amend section 47 by changing the comma (,) in line 3 to a period (.) and by striking all parts of the paragraph following such comma (,) in lines 3, 4 and 5; also amend said section by inserting in line 1 after the word "drainage" where it first appears, the words "or levee"; also by inserting in line 6 after the word "drainage" the words "or levee"; also by inserting after the word "drainage" in line 11 the words "or levee"; also by inserting in line 13 after the word "drainage" the words "or levee"; also by inserting in line 14 after the word "drainage" the words "or levee districts"; also by inserting after the word "the" in line 15 the words "drainage or levee districts".

(24) Amend section 49 by striking from line 4 thereof the words "such certificate" and by inserting in lieu thereof the following: "any improve-

ment certificate referred to in section sixty hereof,". Also by striking from line 16 of said section the words "not to exceed".

(25) Amend by inserting at the end of section 49 thereof a new section numbered 49-a1:

"Sec. 49-a1. Option of installment payments after appeal.

When an owner takes an appeal from the assessment against any of his land, the option to pay in installments whatever assessment is finally established against such land in said appeal shall continue, if within twenty days after the final determination of said appeal he shall file in the office of the auditor his written election to pay in installments, and within said period pay such installments as would have matured prior to that time if no appeal had been taken, together with all accrued interest on said assessment to the last preceding interest paying date."

(26) Amend by inserting a new section at the end of section 51 as follows:

"Sec. 51-a1. In all cases where a drainage district has been constructed consisting of main ditches which are beneficial to the entire district, and also of laterals, and where the assessments have been made based upon the estimated cost of such laterals and it can be ascertained that the actual cost of constructing such laterals was less than such estimated cost thereof, then the board of supervisors or joint board of supervisors or other officers having control of such drainage district shall be, and hereby are, authorized and directed to return to the party or parties who owned the land benefited and assessed for such laterals at the time the assessment was fixed and levied by the board or boards of supervisors the respective proportional parts of such excess assessments made for such laterals by the issue of warrants drawn upon the district fund."

(27) Amend by striking sections 54 and 55 and inserting in lieu thereof the following:

"Sec. 54. Alterations—notice.

If after the ordering of said repairs or improvements and before the completion thereof, it shall become apparent that the same should be enlarged, strengthened or otherwise changed or alteration in the location should be made for the better service thereof, said board or boards may by resolution authorize such change or changes in said improvement as the engineer may recommend, provided that when any changes are made, all persons whose lands shall be taken shall have been given notice as at the original establishment of said district and have the right to be heard as to damages and appeal as in said chapter provided at the original establishment.

Sec. 55. Reclassifications.

When it shall be necessary to repair or strengthen or reopen said levee, ditches or drains in any district maintaining a levee, and assess the costs and damages therefor, and the board or boards shall find that the original assessments are no longer equitable as a basis, then and in that case they shall order a new classification of all the lands in said dis-

district and thereupon the auditor shall appoint three persons, one of whom shall be a competent civil engineer, and two of whom shall be resident freeholders of the county, not living within the township or townships where the improvement is or is to be located and not interested therein nor related to any party whose land is affected thereby, who shall, within twenty days after such appointment, personally inspect and classify all the lands within said district according to the benefits which said lands have received by the location and construction of the improvement or the repairing or reopening of the same, and they shall make an equitable apportionment of the costs, expenses, cost of construction, fees and damages assessed for the construction of said improvement or the repairing or reopening of the same and make report thereof in writing to the board of supervisors and file the same with the county auditor; and thereafter all the proceedings in reference to notice and hearing and the confirming of said assessments shall be as provided in chapter one of this title."

(28) Amend section 56 by striking from line 3 thereof the following: "owned by the persons to whom said warrants were issued,".

(29) Amend section 57 by striking from line 3 the words "not to exceed".

(30) Amend section 65 by changing the period (.) at the end thereof to a semicolon (;) and by adding thereto at the close thereof the following: "but in districts where an appeal or appeals have been taken, not later than ninety days after such appeals have been finally determined."

(31) Amend section 74 by striking the word "and" from line 3 thereof; also by inserting a comma after the word "from" in line 4 thereof and by adding immediately after such comma the following: "and stating that the appeal will come on for hearing at the next succeeding term of the court and designating such term. This notice shall be".

Also by striking from line 6 thereof the words: "prosecute such appeal to final judgment or decree, to" and also by changing the comma (,) in line 8 thereof to a period (.) and by striking all parts of the section following such period (.)

(32) Amend section 78 of the bill by adding at the close thereof the following: "The court may, in its discretion, order the consolidation for trial of two or more of such equitable cases."

(33) Amend section 83 by inserting after the comma (,) in line 2 the following: "or in including land within the district,".

(34) Amend section 87 by inserting after the word "or" where it appears for the first time in line 6 thereof the following: "give him an order directing the county treasurer to".

(35) Amend section 90 by inserting after the word "or" where it appears for the first time in line 6 thereof the following: "give him an order directing the county treasurer to".

(36) Amend section 96 by inserting after the word "any" in line 4 the words "steam or electric".

(37) Amend section 98 by striking the word "auditor" from line 2 and inserting the word "board" in lieu thereof.

(38) Amend section 100 by striking the word "chapter" in line 3 and inserting the word "act" in lieu thereof.

(39) Amend section 101 by striking from line 2 the word and figures "thirty (30)" and inserting in lieu thereof the word and figures "fifteen (15)".

(40) Amend section 102 by striking from line 1 the words "expense of the".

(41) Amend section 103 by inserting immediately before the word "make" in line 6 the word "to" and also by inserting immediately before the word "make" in line 9 the word "to".

(42) Amend by striking all of section 104 and inserting in lieu thereof the following:

"Sec. 104. Proceedings on report of annexation.

If said report recommends the annexation of such lands or any portion thereof, the board shall consider such report, plats, and profiles and if satisfied that any of such lands are materially benefited by the district and that such annexation is feasible, expedient, and for the public good, it shall proceed in all respects as to notice, hearing, appointment of appraisers to fix damages and as to hearing thereon; and (if such annexation is finally made,) as to classification and assessment of benefits to the same extent and in the same manner as provided in the establishment of an original district. All parties shall have the right to receive notice, to make objections, to file claims for damages, to have hearing, to take appeals and to do all other things to the same extent and in the same manner as provided in the establishment of an original district."

(43) Amend by striking all of section 106 and inserting in lieu thereof the following:

"Sec. 106. Subsequent proceedings—use of former surveys.

In cases where proceedings have been taken for the establishment of a levee or drainage district and an engineer has been appointed who has made a survey, return and plat thereof and for any reason the improvement has been abandoned and the proceedings dismissed, and afterwards proceedings are instituted for the establishment of a levee or drainage district which will benefit any territory surveyed in said former proceedings, the engineer shall use so much of the return, levels, surveys, plat and profile made in the former proceedings as may be applicable. He shall specify in his reports the parts thereof so used, and in case the cost of said returns, levels, surveys, plat, and profile made in said former proceedings has been paid by the former petitioners or their bondsmen, then a reasonable amount shall be allowed said petitioners or bondsmen for the use of the same."

(44) Amend section 107 by striking from line 6 the words "made in detail as to" and inserting in lieu thereof "which he must make in detail setting forth".

Also amend said section 107 by inserting a period (.) after the word "therefor" in line 7, by striking the words "placed on file with the auditor, and" in line 7, and by inserting in lieu thereof "Such report shall be filed with the auditor and be".

(45) Amend by striking all of section 116 and substituting the following:

"Sec. 116. Control—repair—apportionment.

When any levee or drainage district shall have been established and the improvement constructed the same shall be at all times under the supervision of the board of supervisors except as otherwise provided for control and management by a board of trustees, and it shall be the duty of the board to keep the same in repair and for that purpose it may cause the ditches, drains, and watercourses thereof to be enlarged, reopened, deepened, widened, straightened or lengthened, or the location changed for better service, or may cause any part thereof to be converted into a closed drain when considered for the best interest of the public. Such repairs shall be paid for out of the funds of the levee or drainage district in the hands of the county treasurer if there be any.

If such funds are not sufficient and the cost thereof does not exceed ten per cent of the original cost of the improvements in the district a new assessment shall be made on the basis of the old apportionment and no notice of such assessment shall be necessary.

If the cost thereof does exceed ten per cent of the original cost of the improvements in the district, the board may for good reason order a new apportionment of, and assessment upon, the lands in the district to be made; and the same proceedings shall be had and the same rules shall be applied as are provided in this act for an original apportionment and assessment; and the same right to appeal shall be given to any interested party.

If additional land is required in making such repairs or changes then the same proceedings shall be had as to such additional land as are provided in this act for the original establishment of the district and the same rights shall be given all interested parties including the right of appeal from the decision of the board concerning any inclusion of land, damages, apportionment of benefits and assessment for costs.

Sec. 116-a2.

But notwithstanding the provisions of the last preceding section so much of the cost of the work and materials as is required to clean out any specific open ditch or main so as to restore it to its original efficiency or capacity and to preserve its sides at a practical slope must be assessed to the lands in the whole district in the same proportion as the costs and expenses of the construction of such specific open ditch was originally assessed to said lands; and so much of the cost of the work and materials as is required to restore any tile line or lateral to its original efficiency, or to clean any tile line, or to replace broken or defective tile, or to rebuild any bulk head, must be assessed to the lands benefited by such spe-

cific tile line or lateral in the same proportion as the original cost thereof.

If, however, it shall appear that the original assessment or apportionment did not designate separately the amount each tract should pay for the main ditch or drain and the amount it should pay for the lateral drain, then the board shall make such reclassification whenever a new assessment is necessary for repairs or changes according to the principles and rules set forth in sections forty and forty-one of this act."

(46) Amend the bill by renumbering sections 116-a1, 116-a2, 116-a3 and 116-a4 as sections 116-a3, 116-a4, 116-a5 and 116-a6 respectively.

(47) Amend section 116-a4 (renumbered 116-a6) by striking out the words "in sections fifty-four (54) and fifty-five (55) hereof" and inserting in lieu thereof the following: "for the original classification of a district".

(48) Amend section 124 by inserting a comma (,) after the word "district" in line 10, and by striking the word "and" in said line and by inserting the word "and" after the comma (,) in line 12.

(49) Amend section 130 by inserting the word "wilfully" immediately before the word "break" in line 1; by inserting the word "wilfully" immediately before the word "injure" in line 2, and by inserting the word "wilfully" immediately before the word "diverting" in line 1 of section 131.

(50) Amend section 138 by striking the word "commissioners" wherever such appears in said section and inserting in lieu thereof the word "persons".

(51) Amend section 141 by striking lines 8 and 9 and inserting in lieu thereof the following: "against said premises from the district funds. The amount paid for redemption".

Also amend section 141 by striking from line 10 the word "being" and inserting in lieu thereof the words "shall be".

(52) Amend section 148 by striking the first comma (,) in line 2 and striking the words "who is one (1) of said commissioners" in line 2 and inserting in lieu thereof the words "so appointed".

(53) Amend section 150 by inserting a period (.) instead of the comma (,) at the end of line 4, by striking therefrom all of line 5 and inserting in lieu thereof the following: "He may, however, file at the time and place of hearing. If he shall fail to file such claim at the time specified he shall be held".

Also amend section 150 by inserting after the word "way" in line 7 the words "for any open ditch".

(54) Amend section 151 by inserting after the word "approve" in line 10 the words "and tentatively adopt"; by striking from line 11 the words "and tentatively established" and inserting in lieu thereof the word "for".

Also amend section 151 by striking from line 22 the words "shall be the same" and inserting in lieu thereof the following: "and of all other persons, land owners, appellants, courts and officers shall be the same, and the same procedure shall be had,".

(55) Amend section 152 by striking from lines 3 and 4 the words "at any meeting adjourn to".

(56) Amend section 157 by changing the period (.) at the end to a comma (,) and adding thereto the following: "and subject to the same exceptions in cases of appeals set forth in section 65 hereof."

(57) Amend section 162 by striking from line 5 the word "or" and inserting in lieu thereof the following: "for the contractor or give him an order directing the treasurer to".

(58) Amend section 163 by striking from line 12 thereof the words "deliver to the contractor warrants", and by inserting in lieu thereof the following: "draw a warrant for the contractor or give him an order directing the treasurer to deliver to him".

(59) Amend by striking section 167 and inserting in lieu thereof the following:

"Sec. 167. Law applicable.

Except as in this chapter otherwise stipulated the provisions and procedure set forth in chapter one of this act shall govern and apply to the formation, establishment and conduct of every levee or drainage district extending into two or more counties, the petition therefor, the giving or publication or service of notice therein, the appointment and duties of all officers or appraisers or commissioners, the making or filing of waivers, reports, plats, profiles, recommendations, notices, contracts and papers, the classification and apportionment and assessment of lands and all other property, the taking and hearing of appeals, the issuance and delivery of warrants, bonds and assessment certificates, the payment of taxes and assessments, the making of improvements, ditches, drains, changes, enlargements, extensions and repairs, the inclusion of lands, and the making or performance of every other matter or thing whatsoever relevant to or in any wise connected with such joint drainage or levee district and the rights, privileges and duties of all persons, land owners, officers, appellants and courts."

(60) Amend by inserting at the end of section 167 as a new section the following:

"Sec. 167-a1.

The land owner may have any beneficial use of the land to which he has fee title and which is occupied by the waste banks of an open ditch when such use does not interfere in any way with the easement or rights of the drainage district as contemplated by this act. For the purpose of gaining such use the land owner may smooth said waste banks but in doing so he must preserve the berms of such open ditch without depositing any additional dirt upon them."

(61) Amend section 172 by inserting the word "heretofore" immediately after the word "has" in line 1; also by inserting immediately after the comma (,) in line 3 the following: "including those the outlets of which are outside of such limits,".

(62) Amend section 175-a4 by striking from line 4 the word "and" and inserting in lieu thereof the word "any".

(63) Amend section 175-a6 by striking the article "a" from line 2 and inserting in lieu thereof the word "that".

(64) Amend section 175-a10 by changing the period (.) at the end to a semicolon (;) and adding the following: "and the provisions of section 167 of this act shall be in full force as to all highway drainage districts under this chapter, and such provisions shall obtain and apply to all such districts."

(65) Amend section 184-a9 by striking the word "issued" in line 2.

(66) Amend section 185 by striking out of line 1 of said section the word "completed" and inserting after the word "district" in line 2 the words "in which the original construction has been completed and paid for by bond issue or otherwise,".

(67) Amend section 208 by inserting a period (.) following the word "elected" in line 7, and striking the remainder of line 7, and line 8.

(68) Amend section 217 by adding thereto at the close the following: "Such remonstrances shall be filed not less than five days before the time set for hearing."

(69) Amend section 220-a1 by changing the period (.) at the end of paragraph 2 of said section to a comma (,) and inserting thereafter the words "unless otherwise specifically indicated by law."

(70) Amend section 265 by striking the last word (being the word "of") from line 4 and all of line 5 and inserting in lieu thereof the following: "then existing of all lands, the assessment and levy of drainage taxes then made, existing contracts, and vested rights".

Also amend said section by striking therefrom the comma (,) after the word "bonds" in line 6.

(71) Amend chapter heading of Chapter Five (5) by striking out the word "drainage", which is improperly spelled, and adding in lieu thereof the words "drainage or levee".

(72) Amend section 201 by inserting preceding the first word "The" in said section the following: "Except as provided in the next section", and change the capital "T" to a small letter in the word "The" at the beginning of the section.

(73) Following section 201 insert the following new section:

"Sec. 201-a1. Tenure of office in levee and pumping station districts.

In a levee district or drainage district having a pumping station an election of trustees shall be held biennially on the third Saturday in January, at which election two trustees shall be elected for a term of three years, but the term of one shall begin one year from the fourth Saturday in January after his election. Ballots shall indicate which of said trustees is for the term beginning on the first Saturday after his election and which for the term beginning one year from such period. For the purpose of carrying out the provisions of this section the terms of trustees in any such districts shall expire on the fourth Saturday of January, 1925, and on the third Saturday of January, 1925, an election of trustees shall be held at which there shall be two trustees elected

for two years, and one for three years, and thereafter biennially two trustees shall be elected with terms of office as first above provided."

(74) Amend section 209 by inserting after the word "drainage" in line 5 the words "and levee".

(75) Amend section 214 by inserting in line 3 after the word "drainage" the words "or levee".

(76) Amend Chapter seven of said bill by inserting after section 249 the following four sections, numbered 249-a1, 249-a2, 249-a3 and 249-a4:  
"Sec. 249-a1. Costs assessed.

If said district is established, the entire costs and expenses incurred under this chapter shall be assessed and collected from the lands lying within such district, by the levy of a rate upon the assessable value of the land within such district, sufficient to raise the required sum; provided that where the proposed improvement is for drainage only the board may, in their discretion, classify the land within such district and graduate the tax thereon, as provided in chapter one of this act.

Sec. 249-a2. Annual installments.

If the proposed improvement is the maintenance of a levee, the amount collected in any one year shall not exceed fifty mills on the dollar of the assessment valuation, which said assessment shall be levied at a level rate on the assessable value of the said lands, easements and railroads within the district. If the amount necessary to pay for the improvement, exceed said sum, it shall be levied and collected in annual installments. For all other improvements, the board shall levy a rate sufficient to pay for the same, and may, at their discretion, make the same payable in annual installments of ten or less.

Sec. 249-a3. Collection of tax.

The assessment required under the two preceding sections shall be made by the board of supervisors at the time of levying general taxes, after the work has been authorized, and the same shall be entered on the records of the board of supervisors, then entered on the tax books by the county auditor as drainage taxes, and shall be collected by the county treasurer at the same time, in the same manner, and with the same penalties, as general taxes; and if the same is not paid he shall sell all such lands upon which such assessment remains unpaid, at the same time, and in the same manner, as is now by law provided for the sale of lands for delinquent taxes, including all steps up to the execution and delivery of the tax deed for the same. The landowners shall take notice of and pay such assessments, without other or further notice than such as is provided for in this chapter. The funds realized from such assessments shall constitute the drainage fund, as contemplated in this chapter, and shall be disbursed on warrants drawn against that fund by the county auditor, on the order of the board of supervisors.

Sec. 249-a4. Cost of maintaining.

The board of supervisors shall have the right and power to keep and maintain any such levee, ditches, drains, or system of drainage, either in whole or in part, established under the preceding sections

of this chapter, as may in their judgment be required, and to levy the expense thereof upon the real estate within such drainage district as herein provided for, and collect and expend the same; provided, however, that no such work which shall impose a tax exceeding fifty mills on the dollar on the assessable value of the lands within the district shall be authorized by them, unless the same is first petitioned for and authorized in substantially the manner required by this chapter for the inauguration of new work."

(77) Amend section 250 by inserting after the word "drainage" in line 10 the words "or levee"; also in line 11 inserting after the word "drainage" the words "or levee".

Also amend said section by striking out of lines 13 and 14 the words "chapter one of this chapter" and inserting in lieu thereof the words "chapters one to six, inclusive, of this act".

(78) Amend section 205 by striking out in lines 6 and 7 the words "and until their successors are elected and qualified" and inserting in lieu thereof "when their successors shall be elected".

#### REPORTS OF COMMITTEES

Forsling of Woodbury, from the committee on municipal corporations, filed the following report:

MR. SPEAKER: Your committee on municipal corporations to whom was referred Senate File No. 177, a bill for an act to amend, revise, and codify sections three thousand six hundred thirty (3630), three thousand six hundred thirty-one (3631), three thousand seven hundred twenty-six (3726), three thousand seven hundred thirty-three (3733), three thousand seven hundred thirty-seven (3737), three thousand seven hundred forty-one (3741), three thousand seven hundred fifty-nine (3759), three thousand eight hundred ninety-seven (3897), three thousand nine hundred five (3905), three thousand nine hundred nine (3909), three thousand nine hundred eighty-three (3983), four thousand nine (4009), four thousand thirty-one (4031) to four thousand thirty-four (4034), inclusive, four thousand thirty-seven (4037), four thousand thirty-nine (4039) to four thousand forty-one (4041), inclusive, four thousand fifty-two (4052), and four thousand fifty-three (4053) of the compiled code of Iowa, and sections three thousand four hundred eighty-five (3485), three thousand seven hundred fifty-eight (3758), four thousand thirty-eight (4038), and four thousand fifty-one (4051) of the supplement to said code, relating to municipal 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, and when so amended the bill do pass:

(1) Amend subsection 22 of section 5 by striking from line 4 thereof the word and figures "forty (40)" and insert in lieu thereof the word and figures "twenty (20)".

(2) Amend subsection 23 of section 5 by striking the word "With" in line 2 and by inserting in lieu thereof the word "Within".

(3) Strike all of subsection 26 of section 5 and insert in lieu thereof the following:

26. Hospital fund. When a municipal hospital has been established, not exceeding three (3) mills in cities having a population of more than twenty-two thousand (22,000) and in other cities not exceeding five (5) mills. Such levies shall not extend for a longer period than twenty (20) years and shall be used only for the purpose of constructing hospitals or purchasing sites therefor and for the retirement of bonds issued in payment thereof.

(4) Amend by inserting between the words "shall" and "power" in line 1 of section 7 the word "have".

(5) Amend section 12 by striking from line 3 thereof the words "fifteenth day of August" and insert in lieu thereof the words "first day of September".

L. B. FORSLING, *Chairman.*

Passed on file.

COMMUNICATION FROM THE SUPERINTENDENT OF PUBLIC INSTRUCTION

The following communication was received from the superintendent of public instruction:

Des Moines, April 14, 1924.

HON. J. H. ANDERSON, Speaker, and  
Members of the House of Representatives  
of the General Assembly of the State of Iowa.

Gentlemen:

In view of the resolution introduced in the House based upon alleged insinuations and charges in the newspapers, I hereby request and demand an investigation of my department by this session of the General Assembly.

I make this request and demand in this way and at this time in the interest of good government and to advance the welfare of the schools of the state, and I hereby tender the fullest and most complete cooperation of this department.

Yours very truly,

MAY E. FRANCIS,  
*Superintendent of Public Instruction.*

AMENDMENT TO RESOLUTION FILED

Rewoldt of Bremer filed the following amendment to House resolution relative to the office of the superintendent of public instruction found in the House Journal of April 12th:

Amend by striking the last two paragraphs following the paragraph and words to-wit:

"Be It Resolved by the House of Representatives": and substitute in lieu thereof the following:

"That the matter be referred to a committee, consisting of nine (9) members of the House to be appointed by the Speaker of the House, to investigate the charges herein referred to, and report to the House of the facts together with its recommendations, without delay.

That said committee be and is hereby authorized to subpoena such witnesses and cause the production of such documentary evidence as in its judgment may be necessary to determine the truth of the matter before it."

On motion of Rewoldt of Bremer the House adjourned until 10:00 a. m. Tuesday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 15, 1924.

House met pursuant to adjournment. Speaker Anderson in the chair.

Prayer was offered by the Rev. Mrs. C. V. Pence of the Christian church, Jefferson, Iowa.

Journal of April 14th corrected and approved.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 9 and 247.

## REPORTS OF COMMITTEES

Doolittle of Delaware, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 316, a bill or an act to legalize a school election held in the independent school district of Indianola, in the county of Warren on the tenth (10th) day of March, nineteen hundred twenty-four (1924), whereat there was submitted to the voters of said independent school district, pursuant to a resolution adopted by the board of directors thereof, a proposition to issue bonds of said district in the sum of one hundred seventy-five thousand dollars (\$175,000.00), the funds arising from the sale thereof, to be used for the purpose of construction and equipping a school building and procuring a site 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, and when so amended the bill do pass:

- (1) Amend section 1 by striking out of line 1 the word "said".
- (2) Amend section 1 by striking out of said section all after the word "therewith" in line 8 thereof, and inserting in lieu thereof the following: "and the result of said election upon the question of issuing said bonds of said school district as certified is hereby legalized and declared to be full and legal authority for the issuance of said bonds, the same as if all

provisions of the law relating thereto had been fully and strictly complied with".

CLYDE H. DOOLITTLE, *Acting Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 321, a bill for an act to legalize the establishment of the County Area Tuberculosis Eradication Plan in the several counties of the state and the proceedings of boards of supervisors, county auditors, county treasurers, and the secretary of agriculture in the establishment of such areas, the levy, spreading, and collection of taxes therefor as is provided in chapter forty-eight (48) of the laws of the Fortieth (40th) General Assembly 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.

CLYDE H. DOOLITTLE, *Acting Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 312, a bill for an act to amend, revise and codify section five thousand three hundred ninety-nine (5399) of the compiled code relating to shares of stock in cooperative 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.

CLYDE H. DOOLITTLE, *Acting Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 316, a bill for an act to legalize the levy, assessment, collection and transfer of certain school taxes in Union Township, Cass county, Iowa, from the school house fund to the general 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.

CLYDE H. DOOLITTLE, *Acting Chairman.*

Report adopted.

The report of the committee on Senate File No. 177, found in the Journal of April 14th, was taken up for consideration.

On motion of Forsling of Woodbury the report was adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 54-A, 69, 158, 230 and 319.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 54-A, 69, 158, 230 and 319.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this fifteenth day of April, 1924, sent to the Governor for his approval:

House Files Nos. 54-A, 69, 158, 230 and 319.

C. F. LETTS, *Chairman.*

Report adopted.

## HOUSE RESOLUTION CONSIDERED

The following resolution, offered on April 12th, was taken up for consideration:

*Whereas*, Serious complaints have been made from many sources in the state that the superintendent of public instruction has made certain rulings in regard to the qualifications of teachers and the accrediting of schools, which are not in accordance with law or precedent, and, if persisted in will result in depriving many faithful and efficient teachers of their positions and the schools of the benefit of their services as well as the benefit of state aid to such schools. That said rulings are also likely to result in a great injustice to many pupils, depriving them of the benefit of being admitted to the higher institutions on proof of graduation in accredited schools; and

*Whereas*, Certain charges including illegal and arbitrary conduct on the part of the superintendent of public instruction have been made editorially in the press; and

*Whereas*, In justice to the state superintendent of public instruction, and for the welfare of the educational interests of the state it is most desirable that these matters be investigated and if the said charges are unfounded they should be refuted and if true, steps should be taken at once to provide remedies; therefore,

*Be It Resolved by the House of Representatives*: That the matter be referred to the judiciary committee for investigation and report of the facts together with its recommendations.

That said committee is authorized to subpoena such witnesses and cause the production of such documentary evidence as in its judgment may be necessary to determine the truth of the matters before it.

RAY YENTER,  
JOHN BRADLEY,  
E. P. HEALY,  
G. E. HELD,  
J. P. GALLAGHER.

The following amendment filed by Rewoldt of Bremer was taken up and considered:

Amend by striking the last two paragraphs following the paragraph and words to-wit:

*"Be It Resolved by the House of Representatives"*; and substitute in lieu thereof the following:

"That the matter be referred to a committee, consisting of nine (9) members of the House to be appointed by the Speaker of the House, to investigate the charges herein referred to, and report to the House of the facts together with its recommendations, without delay.

That said committee be and is hereby authorized to subpoena such witnesses and cause the production of such documentary evidence as in its judgment may be necessary to determine the truth of the matter before it."

Ontjes of Grundy offered the following substitute for the amendment by Rewoldt of Bremer:

Amend the resolution by striking out the words "judiciary committee" in the second line of the resolution proper and inserting in lieu thereof the words "committee on schools and textbooks".

Knutson of Cerro Gordo moved that the House go into executive session to consider the resolution.

Forsling of Woodbury moved the previous question on the motion of Knutson of Cerro Gordo.

Motion prevailed.

Mr. Speaker requested that he be excused from voting on all questions pertaining to the matter under consideration.

On motion of Harrison of Pottawattamie the request of the Speaker was granted.

On the question "Shall the House go into executive session?" a roll call was demanded.

The ayes were:

Aiken	Fackler	Lake	Rewoldt
Anderson of Webster	Frahm	Leonard	Rumley
Berry	Garber of Floyd	Mathews	Scott of Appanoose
Brady	Gibson	Napier	Scott of Fremont
Brittain	Gilbertson	Natvig	Slemmons
Buffington	Hansen	Noble	Smith of Lucas
Children	Hattendorf	Ontjes	Stookesberry
Colbert	Hempel	Orr	Strippel
Criswell	Himebauch	Parsons	Ulstad
Dewar	Huff	Quirk	Wolfe—44
Dooley	King	Rassler	
	Knutson		

The nays were:

Blake	Gesman	Lieberknecht	Sampson
Blume	Gilbert	Long	Saunders
Bradley	Gilmore	Lovrien	Schirmer
Carter	Graham	McClune	Schulte
Clark	Grimwood	Mathiesen	Smith of Chickasaw
Cole	Harrison	Moen	Stock
Donhowe	Hauge	Oliver	Venard
Doolittle	Healy	Olson	Vincent
Dotts	Held	Peterson	Wamstad
Edge	Henderson	Ramsey	Weber
Edson	Hollis	Rankin	Williams
Elliott	Johnson	Rhinehart	Wilson
Forsling	Letts	Robson	Yenter—56
Gallagher	Lichty	Rust	
Garber of Adair			

Absent or not voting:

Diltz	O'Donnell	Potts	Storey
Miller	Patterson	Powers	Mr. Speaker—8

The motion by Knutson of Cerro Gordo to go into executive session was lost.

Graham of Wapello moved the previous question on the substitute amendment offered by Ontjes of Grundy.

Motion prevailed.

On the question "Shall the substitute amendment by Ontjes of Grundy be adopted?" a roll call was demanded.

The ayes were:

Brittain	Garber of Floyd	Vincent	Wamstad—6
Forsling	Ontjes		

The nays were:

Aiken	Gallagher	Lieberknecht	Rumley
Anderson of	Garber of Adair	Long	Rust
Webster	Gesman	Lovrien	Sampson
Berry	Gibson	McClune	Saunders
Blake	Gilbert	Mathews	Schirmer
Blume	Gilmore	Matthiesen	Schulte
Bradley	Graham	Moen	Scott of
Brady	Grimwood	Napier	Appanoose
Buffington	Hansen	Natvig	Scott of Fremont
Carter	Harrison	Noble	Slemmons
Children	Hattendorf	O'Donnell	Smith of
Colbert	Healy	Oliver	Chickasaw
Cole	Held	Olson	Smith of Lucas
Criswell	Hempel	Orr	Stock
Dewar	Henderson	Parsons	Stookesberry
Donhowe	Himebauch	Peterson	Strippel
Dooley	Hollis	Powers	Ulstad
Doolittle	Huff	Quirk	Venard
Dotts	Johnson	Ramsey	Weber
Edge	King	Rankin	Williams
Edson	Knutson	Rassler	Wilson
Elliott	Lake	Rewoldt	Wolfe
Fackler	Letts	Rhinehart	Yenter—92
Frahm	Lichty	Robson	

Absent or not voting:

Clark	Hauge	Patterson	Storey
Diltz	Leonard	Potts	Mr. Speaker—10
Gilbertson	Miller		

The substitute amendment by Ontjes of Grundy was rejected.

Rewoldt of Bremer moved the adoption of the amendment proposed by him.

On the question "Shall the amendment by Rewoldt of Bremer be adopted?" a roll call was demanded.

The ayes were:

Aiken	Frahm	Mathews	Scott of
Berry	Garber of Floyd	Matthiesen	Appanoose
Blume	Gesman	Napier	Scott of Fremont
Brady	Gibson	Natvig	Slemmons
Brittain	Graham	Noble	Smith of Lucas
Buffington	Harrison	Oliver	Stookesberry
Children	Hattendorf	Ontjes	Strippel
Colbert	Hempel	Orr	Ulstad
Criswell	Huff	Parsons	Venard
Dooley	Leonard	Rassler	Wolfe—42
Fackler	Long	Rewoldt	

The nays were:

Anderson of	Cole	Edge	Garber of Adair
Webster	Dewar	Edson	Gilbert
Blake	Donhowe	Elliott	Gilmore
Bradley	Doolittle	Forsling	Grimwood
Carter	Dotts	Gallagher.	Hansen

Hauge	Lichty	Rankin	Smith of
Healy	Lieberknecht	Rhinehart	Chickasaw
Held	Lovrien	Robson	Stock
Henderson	McClune	Rumley	Vincent
Himebauch	Moen	Rust	Wamstad
Hollis	O'Donnell	Sampson	Weber
Johnson	Olson	Saunders	Williams
King	Peterson	Schirmer	Wilson
Knutson	Powers	Schulte	Yenter—56
Lake	Ramsey		

Absent or not voting:

Clark	Letts	Potts	Storey
Diltz	Miller	Quirk	Mr. Speaker—10
Gilbertson	Patterson		

Amendment by Rewoldt of Bremer was rejected.

Held of Plymouth moved the adoption of the resolution.

On the question "Shall the resolution be adopted?" a roll call was demanded.

The ayes were:

Blake	Gilbert	Mathews	Schirmer
Blume	Gilbertson	Matthiesen	Schulte
Bradley	Gilmore	Moen	Scott of
Brady	Grimwood	O'Donnell	Appanoose
Buffington	Harrison	Oliver	Stemmons
Carter	Hauge	Olson	Smith of
Children	Healy	Ontjes	Chickasaw
Cole	Held	Parsons	Stock
Criswell	Henderson	Peterson	Storey
Dewar	Himebauch	Powers	Strippel
Donhowe	Hollis	Quirk	Ulstad
Doolittle	Johnson	Ramsey	Venard
Dotts	King	Rankin	Vincent
Edge	Knutson	Rassler	Wamstad
Edson	Lake	Rewoldt	Weber
Forsling	Letts	Rhinehart	Williams
Gallagher	Lichty	Robson	Wilson
Garber of Adair	Lieberknecht	Rust	Wolfe
Gesman	Long	Sampson	Yenter—77
Gibson	McClune	Saunders	

The nays were:

Aiken	Elliott	Hempel	Rumley
Berry	Frahm	Napier	Scott of Fremont
Brittain	Garber of Floyd	Noble	Smith of Lucas
Colbert	Hansen	Orr	Stookesberry—18
Dooley	Hattendorf		

Absent or not voting:

Anderson of	Fackler	Lovrien	Patterson
Webster	Graham	Miller	Potts
Clark	Huff	Natvig	Mr. Speaker—13
Diltz	Leonard		

The resolution was adopted.

**SUBSTITUTE FOR SENATE FILE NO. 186 RETURNED TO SENATE**

Doolittle of Delaware moved that the chief clerk be authorized to return Substitute for Senate File No. 186 to the Senate.

Motion prevailed.

**INTRODUCTION OF BILLS**

House File No. 326, by committee on judiciary, a bill for an act to amend chapter one hundred eight (108) of the laws of the Fortieth General Assembly relating to the rate of interest on bonds.

Read first and second times and passed on file.

House File No. 327, by Hempel of Clayton, a bill for an act to authorize the issuance of a patent to certain lands in Clayton county, Iowa.

Read first and second times 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 receded from its amendment to section 5 of House File No. 8, a bill for an act relating to certain duties of the auditor of state.

Also, that the President has appointed as the conference committee on the part of the Senate on Senate File No. 169, a bill for an act relating to municipal corporations, Senators Haskell, Smith, Baird and Fulton.

Also, that the Senate has adopted and concurred in the House amendment to Senate File No. 182, a bill for an act relating to municipal corporations.

Also, that the Senate has adopted and concurred in the House amendments to the Senate amendments on House File No. 260, a bill for an act relating to public health.

Also, that the Senate has insisted upon its amendments to House File No. 262, a bill for an act relating to the practice of certain professions affecting the public health, and requests a conference committee. The President has appointed as members of such conference committee on the part of the Senate, Senators Newberry, Dutcher, Price and Shane.

Also, that the Senate has adopted the report of the conference committee and concurred in the amendments proposed therein to House File No. 65, a bill for an act relating to the department of agriculture.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 320, a bill for an act relating to jurisdiction in juvenile court cases in cities wherein a municipal court is established.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 309, a bill for an act authorizing the purchase by the state of Iowa of certain lands and making an appropriation for the purchase price of said lands.

Also, 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 to legalize the establishment of the county area tuberculosis eradication plan in the several counties of the state and the proceedings of boards of supervisors, county auditors, county treasurers, and the secretary of agriculture in the establishment of such areas, the levy, spreading, and collection of taxes therefor.

Also, that the Senate has adopted the report of the second conference committee, and concurred in the amendments proposed therein on House File No. 213, a bill for an act relating to marriage and incest.

Also, that the Senate has adopted the report of the conference committee, and concurred in the amendments proposed therein on Senate File No. 125, a bill for an act relating to the destruction of weeds on private lands and public highways.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 68, a bill for an act relating to animal industry.

LEON W. AINSWORTH, *Secretary.*

#### REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 213

MR. SPEAKER: We, your conference committee on House File No. 213, move to substitute the following for the conference report on said bill filed April 9 (H. J. 1402, S. J. 1281):

We, your second conference committee appointed to consider the differences between the House and Senate in regard to certain amendments on House File No. 213, a bill relating to marriage and incest, beg leave to report that we have had said differences under consideration and have unanimously agreed upon the following report as a substitute for the House amendments to the Senate amendments to the bill designated as sections 2-a1, 2-a2, 2-a3, 2-a4 and 2-a5, and the House amendment to the Senate amendment to section 2-a1, by adding certain provisions thereto:

Amend the bill by inserting as subsection 5 of section 1 thereof the following:

"5. Where either of the parties to the proposed marriage contract is an idiot or an imbecile or under guardianship on account of being an incompetent."

Amend the bill by inserting as subsection 6 of section 1 thereof the following:

"6. Unless each party to the proposed marriage contract sign and file with the clerk an affidavit in the following form:

State of Iowa, County of ....., ss:

That, for the purpose of obtaining a marriage license, in conformity with law, I, being first duly sworn on oath, state:

That I am of the age of .... years, and a resident of ....., County of ....., State of .....

That I am about to enter into a contract of marriage with ....., a resident of ....., County of ....., State of .....

That, according to the best of my knowledge and belief, I am free from venereal disease.

.....  
Subscribed and sworn to before me this .... day of ....., 19...

.....  
(Add here the official title of the person administering oath, together with his seal, if any.)"

Amend the bill by inserting after section 2 as section 2-a1 of the bill the following:

"Sec. 2-a1. The clerk of the district court of each county shall furnish all blanks necessary for the use of applicants for marriage licenses."

Amend section 6 of the bill by inserting as subsection 5 the following:

"5. Between persons one of whom is an idiot or an imbecile or is under guardianship as an incompetent."

Amend the title by striking out the period (.) at the end of same and adding thereto the following: "and prescribing the qualifications for entering into a marriage contract and prohibiting the issuance of licenses to marry in certain cases."

P. C. HOLDOEGEL,  
BYRON W. NEWBERRY,  
GEO. S. HARTMAN,  
BEN C. ABBEN, JR.,  
*Conferees on part of Senate.*

E. J. COLE,  
CLARENCE KNUTSON,  
T. L. WOLFE,  
G. W. PATTERSON,  
*Conferees on part of House.*

#### SENATE MESSAGES CONSIDERED

Senate File No. 309, a bill for an act authorizing the purchase by the state of Iowa of certain lands and making an appropriation for the purchase price of said lands.

Read first and second times and passed on file.

Senate File No. 318, a bill for an act to legalize the establishment of the County Area Tuberculosis Eradication Plan in the several counties of the state and the proceedings of boards of supervisors, county auditors, county treasurers, and the secretary of agriculture in the establishment of such areas, the levy, spreading, and collection of taxes therefor as is provided in chapter forty-eight (48) of the laws of the Fortieth (40) General Assembly of Iowa.

Read first and second times and passed on file.

#### SPECIAL ORDER MADE

On request of Letts of Washington, unanimous consent having been obtained, Senate File No. 309 was made a special order for 1:30 p. m.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Dewar of Cherokee, House File No. 90, a bill for an act to amend, revise, and codify sections two thousand three hundred eighteen (2318) to two thousand three hundred twenty-six (2326), inclusive, two thousand three hundred twenty-nine (2329) to two thousand three hundred forty-four (2344), inclusive, two thousand three hundred forty-seven (2347), two thousand three hundred ninety-eight (2398) to two thousand four hundred fourteen (2414), inclusive, two thousand four hundred thirty-two (2432), two thousand four hundred thirty-six (2436), two thousand four hundred thirty-seven (2437), two thousand four hundred forty (2440) and two thousand four hundred forty-four (2444) of the compiled code of Iowa, and sections two thousand three hundred twenty-seven (2327) and two thousand three hundred twenty-eight (2328) of the supplement to said code, relating to education, with Senate amendments, found in the House Journal of April 9th, was taken up and the amendments read and considered.

The following amendment filed by Storey of Warren to the Senate amendments was taken up and considered:

Amend the second Senate amendment to House File No. 90 by striking out the period after the last word thereof, and inserting a comma and the following words to-wit: "provided that the state board of education shall not contract for this purpose for the expenditure of more than \$5,000 in

any one county, nor in the aggregate for more than \$20,000 during any one year."

On motion of O'Donnell of Dubuque the House adjourned until 1:30 p. m. today.

### AFTERNOON SESSION

The House reconvened, Speaker Anderson 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 insists on its amendments to House File No. 277, relating to motor vehicles and requests a conference committee. The President has appointed as members of such committee on the part of the Senate, Senators Slosson, Stoddard, Mead, and Buser.

LEON W. AINSWORTH, *Secretary*.

### APPOINTMENT OF CONFERENCE COMMITTEES

As a conference committee on House File No. 277 the Speaker appointed the following members on the part of the House: Garber of Adair, Criswell of Boone, McClune of Mahaska and Dewar of Cherokee.

As a conference committee on House File No. 262 the Speaker appointed the following members on the part of the House: Buffington of Mills, Gilbertson of Winneshiek, Dewar of Cherokee and Weber of Dubuque.

### LEAVE OF ABSENCE

On motion of Leonard of Taylor, Fackler of Adams was excused until Thursday.

### CONSIDERATION OF BILLS

House File No. 316, a bill for an act to legalize a school election held in the independent school district of Indianola, in the county of Warren on the tenth (10th) day of March, nineteen hundred twenty-four (1924), whereat there was submitted to the voters of said independent school district, pursuant to a resolution adopted by the board of directors thereof, a proposition to issue bonds of said district in the sum of one hundred seventy-

five thousand dollars (\$175,000.00), the funds arising from the sale thereof, to be used for the purpose of construction and equipping a school building and procuring a site therefor, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Storey of Warren the amendments proposed by the committee, found in the Journal of this date, were adopted.

Storey of Warren offered the following amendment and moved its adoption:

Amend House File No. 316, section 2, by striking out the last two lines thereof and inserting in lieu thereof the following: "Iowa Forum, newspapers published in Indianola, Iowa, and Des Moines, Iowa, respectively, without expense to the state."

Amendment adopted.

Mr. Storey moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Gibson Gilbertson	Lichty Lieberknecht	Robson Rumley
Berry	Graham	Long	Rust
Blume	Grimwood	Lovrien	Saunders
Bradley	Hansen	McClune	Schirmer
Brady	Harrison	Mathews	Scott of Appanoose
Brittain	Hauge	Matthiesen	Scott of Fremont
Buffington	Healy	Napier	Smith of Lucas
Carter	Held	Noble	Stock
Children	Hempel	O'Donnell	Stokesberry
Clark	Henderson	Olson	Storey
Colbert	Himebauch	Orr	Ulstad
Cole	Hollis	Parsons	Venard
Criswell	Huff	Peterson	Vincent
Doolittle	Johnson	Powers	Weber
Dotts	King	Quirk	Williams
Edson	Knutson	Rankin	Wolfe
Elliott	Lake	Rassler	Yenter
Frahm	Leonard	Rewoldt	Mr. Speaker—79
Gallagher	Letts	Rhinehart	
Garber of Adair			

The nays were:

Blake	Forsling	Hattendorf	Sampson—7
Dewar	Garber of Floyd	Ontjes	

## Absent or not voting:

Aiken	Gesman	Oliver	Smith of
Diltz	Gilbert	Patterson	Chickasaw
Donhowe	Gilmore	Potts	Strippel
Dooley	Miller	Ramsey	Wamstad
Edge	Moen	Schulte	Wilson—22
Fackler	Natvig	Slemmons	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 309, a bill for an act authorizing the purchase by the state of Iowa of certain lands and making an appropriation for the purchase price of said lands, was taken up for consideration.

Letts of Washington offered the following amendment and moved its adoption:

Amend Senate File No. 309 by striking out the figures "\$63,525" in line two (2) of section 2 and inserting in lieu thereof the figures "\$72,000".

On motion of Himebauch of Emmet, Wamstad of Mitchell was excused for the remainder of the day.

Doolittle of Delaware in the chair.

Speaker Anderson in the chair.

On motion of Rewoldt of Bremer, Ramsey of Butler was excused indefinitely on account of illness in his family.

Anderson of Webster moved the previous question on the pending amendment and the main bill.

Motion prevailed.

On the question "Shall the amendment by Letts of Washington be adopted?" a roll call was demanded and rule 18 was invoked.

## The ayes were:

Blake	Doolittle	Grimwood	Lake
Bradley	Edge	Hansen	Letts
Buffington	Edson	Hauge	Lichty
Carter	Elliott	Healy	Lovrien
Clark	Forsling	Henderson	McClune
Cole	Gallagher	Himebauch	Mathews
Dewar	Garber of Adair	Hollis	Moen
Donhowe	Gilbert	Knutson	O'Donnell

Olson	Rumley	Smith of	Weber
Peterson	Rust	Chickasaw	Wilson
Potts	Sampson	Stock	Yenter
Rankin	Saunders	Storey	Mr. Speaker—50
Rhinehart	Schirmer	Vincent	

The nays were:

Aiken	Gilbertson	Long	Robson
Anderson of	Gilmore	Matthiesen	Schulte
Webster	Graham	Napier	Scott of
Blume	Harrison	Natvig	Appanoose
Brady	Hattendorf	Noble	Scott of Fremont
Brittain	Held	Oliver	Slemmons
Children	Hempel	Ontjes	Smith of Lucas
Criswell	Huff	Orr	Stookesberry
Dooley	Johnson	Parsons	Strippel
Dotts	King	Quirk	Ulstad
Frahm	Leonard	Rassler	Venard
Garber of Floyd	Lieberknecht	Rewoldt	Wolfe—47
Gibson			

Absent or not voting:

Berry	Fackler	Patterson	Wamstad
Colbert	Gesman	Powers	Williams—11
Diltz	Miller	Ramsey	

The amendment was adopted.

On motion of Johnson of Dickinson, Oliver of Monona was excused for the remainder of the day.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third readings of a bill on the same day, Letts of Washington moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" rule 18 was invoked.

The ayes were:

Blake	Gallagher	Johnson	Robson
Bradley	Garber of Adair	Lake	Rumley
Brady	Gilbert	Letts	Rust
Buffington	Gilmore	Lichty	Sampson
Carter	Grimwood	Lovrien	Saunders
Clark	Hansen	McClune	Schirmer
Colbert	Harrison	Mathews	Slemmons
Cole	Hauge	Moen	Stock
Dewar	Healy	O'Donnell	Storey
Donhowe	Held	Olson	Vincent
Doolittle	Hempel	Peterson	Weber
Edge	Henderson	Powers	Wilson
Edson	Himebauch	Rankin	Yenter
Elliott	Hollis	Rhinehart	Mr. Speaker—57
Forsling			

The nays were:

Aiken	Blume	Criswell	Frahm
Anderson of	Brittain	Dooley	Garber of Floyd
Webster	Children	Dotts	Gibson

Gilbertson	Long	Potts	Smith of
Graham	Matthiesen	Quirk	Chickasaw
Hattendorf	Napier	Rassler	Smith of Lucas
Huff	Natvig	Rewoldt	Stookesberry
King	Noble	Schulte	Strippel
Knutson	Ontjes	Scott of	Ulstad
Leonard	Orr	Appanoose	Venard
Lieberknecht	Parsons	Scott of Fremont	Wolfe—41

Absent or not voting:

Berry	Gesman	Patterson	Wamstad
Diltz	Miller	Ramsey	Williams—10
Fackler	Oliver		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Letts of Washington moved to reconsider the vote by which Senate File No. 309 passed the House and lay the motion to reconsider upon the table.

Motion prevailed.

Doolittle of Delaware in the chair.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Parsons of Calhoun, Substitute for House File No. 185, a bill for an act to amend, revise, and codify chapters one (1), two (2) and two-a (2-a) of title fifteen (15) of the compiled code of Iowa and of the supplement to said code, relating to levees, ditches, drains, and watercourses, and chapter two (2) of title eleven (11) of the compiled code of Iowa, relating to drainage of highways and highway drainage districts, with Senate amendments, found in the House Journal of April 14th, was taken up and the amendments read and considered.

Mr. Parsons moved that the House concur in Senate amendments Nos. 1, 4, 5, 6, 7, 9, 11, 12, 14, 15, 16, 18, 20, 21, 30, 31, 32, 33, 34, 35, 38, 39, 41, 42, 43, 47, 48, 51, 52, 56, 57, 58, 62, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77 and 78.

On the question "Shall the House concur?"

The ayes were:

Anderson of	Carter	Dewar	Edson
Webster	Children	Donhowe	Elliott
Blume	Clark	Dooley	Forsling
Brady	Cole	Doolittle	Frahm
Buffington	Criswell	Dotts	Gallagher

Gibson	Letts	Peterson	Scott of Fremont
Gilbert	Lichty	Potts	Smith of
Gilbertson	Lieberknecht	Powers	Chickasaw
Gilmore	Long	Rankin	Smith of Lucas
Grimwood	Lovrien	Rewoldt	Stock
Harrison	McClune	Rhinehart	Stookesberry
Hattendorf	Mathews	Robson	Storey
Hauge	Matthiesen	Rust	Strippel
Healy	Napier	Sampson	Venard
Hempel	Natvig	Saunders	Weber
Henderson	Noble	Schirmer	Wilson
Hollis	O'Donnell	Schulte	Wolfe
Johnson	Olson	Scott of	Yenter—73
King	Parsons	Appanoose	
Leonard			

The nays were:

Knutson—1

Absent or not voting:

Aiken	Edge	Huff	Ramsey
Anderson of	Fackler	Lake	Rassler
Winnebago	Garber of Adair	Miller	Rumley
Berry	Garber of Floyd	Moen	Slemmons
Blake	Gesman	Oliver	Ulstad
Bradley	Graham	Ontjes	Vincent
Brittain	Hansen	Orr	Wamstad
Colbert	Held	Patterson	Williams—34
Diltz	Himebauch	Quirk	

The House concurred in Senate amendments Nos. 1, 4, 5, 6, 7, 9, 11, 12, 14, 15, 16, 18, 20, 21, 30, 31, 32, 33, 34, 35, 38, 39, 41, 42, 43, 47, 48, 51, 52, 56, 57, 58, 62, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77 and 78 to Substitute for House File No. 185.

Mr. Parsons moved that the House refuse to concur in Senate amendments Nos. 2, 3, 8, 10, 13, 17, 19, 22, 24, 25, 26, 27, 28, 29, 36, 37, 40, 44, 45, 46, 49, 53, 55, 59, 60, 61 and 64.

On the question "Shall the House concur?"

The ayes were, none.

The nays were:

Anderson of	Donhowe	Gilbert	Huff
Webster	Dooley	Gilbertson	Johnson
Blume	Doollittle	Gilmore	King
Brady	Dotts	Grimwood	Knutson
Brittain	Edge	Hansen	Leonard
Buffington	Edson	Harrison	Letts
Carter	Elliott	Hattendorf	Lichty
Children	Forsling	Healy	Lieberknecht
Clark	Frahm	Held	Long
Cole	Gallagher	Henderson	Lovrien
Criswell	Garber of Adair	Himebauch	McClune
Dewar	Gibson	Hollis	Mathews

Matthiesen	Parsons	Saunders	Stock
Moen	Peterson	Schirmer	Stookesberry
Napier	Potts	Schulte	Storey
Natvig	Powers	Scott of	Strippel
Noble	Rankin	Appanoose	Venard
O'Donnell	Rhinehart	Scott of Fremont	Vincent
Olson	Robson	Smith of	Weber
Ontjes	Rust	Chickasaw	Wilson
Orr	Sampson	Smith of Lucas	Wolfe—81

Absent or not voting:

Aiken	Diltz	Lake	Rewoldt
Anderson of	Fackler	Miller	Rumley
Winnebago	Garber of Floyd	Oliver	Slemmons
Berry	Gesman	Patterson	Ulstad
Blake	Graham	Quirk	Wamstad
Bradley	Hauge	Ramsey	Williams
Colbert	Hempel	Rassler	Yenter—27

The House refused to concur in Senate amendments Nos. 2, 3, 8, 10, 13, 17, 19, 22, 24, 25, 26, 27, 28, 29, 36, 37, 40, 44, 45, 46, 49, 53, 55, 59, 60, 61 and 64 to Substitute for House File No. 185.

Parsons of Calhoun offered the following amendments to the Senate amendments and moved their adoption:

Amend Senate amendment No. 23 by striking out the first two lines and the third line up to the word "amend" and changing the "a" to a capital.

Amend Senate amendment No. 50 by adding thereto the following:

Amend by adding after the word "commissioners" in the heading to the section the words "and appraisers".

Also, amend Senate amendment No. 54 by striking out the last four lines.

Amendments adopted.

Mr. Parsons moved that the House concur in Senate amendments Nos. 23, 50 and 54, as amended.

On the question "Shall the House concur?"

The ayes were:

Anderson of	Frahm	King	Olson
Webster	Gallagher	Lake	Ontjes
Blume	Garber of Adair	Leonard	Parsons
Brittain	Gibson	Letts	Peterson
Buffington	Gilbert	Lichty	Potts
Children	Gilbertson	Lieberknecht	Powers
Clark	Grimwood	Long	Rankin
Criswell	Hansen	Lovrien	Rewoldt
Dewar	Harrison	McClune	Rhinehart
Donhowe	Hattendorf	Mathews	Robson
Dooley	Held	Matthiesen	Rumley
Dotts	Henderson	Moen	Rust
Edson	Himebauch	Napier	Sampson
Elliott	Hollis	Noble	Saunders
Forsling	Johnson	O'Donnell	Schirmer

Schulte	Smith of	Stookesberry	Weber
Scott of	Chickasaw	Storey	Wilson
Appanoose	Smith of Lucas	Strippel	Wolfe—72
Scott of Fremont	Stock	Venard	

The nays were:

Knutson—1

Absent or not voting:

Aiken	Cofe	Hauge	Quirk
Anderson of	Diltz	Healy	Ramsey
Winnabago	Doolittle	Hempel	Rassler
Berry	Edge	Huff	Slemmons
Blake	Fackler	Miller	Ulstad
Bradley	Garber of Floyd	Natvig	Vincent
Brady	Gesman	Oliver	Wamstad
Carter	Gilmore	Orr	Williams
Colbert	Graham	Patterson	Yenter—35

The House concurred in Senate amendments Nos. 23, 50 and 54, as amended, to Substitute for House File No. 185.

On request of Children of Pottawattamie, House File No. 68, a bill for an act to amend, revise, and codify chapters twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), and nineteen (19), of title eight (VIII) of the compiled code of Iowa and of the supplement to said code, and House File sixty-eight-A (68-A) of the special session of the Fortieth General Assembly, relating to animal industry, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

(1) Amend section 64 by striking from line 2 after the word "tuberculin" the words "and other equipment" and insert in lieu thereof the words "and other material not including instruments and utensils".

(2) Amend section 74 by striking all of lines 9, 10 and 11 following the word "dollars" in line 9 down to the period (.) following the word "imprisonment" in line 11.

Also by inserting after the word "the" in line 12 the word "breeding" and striking out of line 13 the word "his" and inserting in lieu thereof the word "said".

(3) Amend section 76 by striking out the word "every" in line 1 and inserting in lieu thereof the words "on or before November first of each".

(4) Amend by striking out all of section 77.

(5) Amend by striking out all of lines 6 and 7 of section 116.

Mr. Children moved that the House concur in Senate amendments Nos. 1, 2, 3 and 5.

On the question "Shall the House concur?"

The ayes were:

Anderson of	Gibson	Lieberknecht	Rumley
Webster	Gilbert	Long	Rust
Anderson of	Gilbertson	Lovrien	Sampson
Winnebago	Gilmore	McClune	Saunders
Blake	Graham	Mathews	Schirmer
Brady	Grimwood	Matthiesen	Schulte
Brittain	Harrison	Moen	Scott of
Buffington	Hattendorf	Napler	Appanoose
Children	Hauge	Natvig	Scott of Fremont
Clark	Healy	Noble	Smith of
Criswell	Held	O'Donnell	Chickasaw
Dewar	Henderson	Olson	Smith of Lucas
Donhowe	Himebauch	Ontjes	Stock
Dooley	Hollis	Orr	Stookesberry
Doolittle	Johnson	Parsons	Storey
Dotts	King	Peterson	Strippel
Edge	Knutson	Powers	Venard
Edson	Lake	Rankin	Vincent
Elliott	Leonard	Rewoldt	Weber
Forsling	Letts	Rhinehart	Wilson
Gallagher	Lichty	Robson	Wolfe—81
Garber of Adair			

The nays were:

Blume—1

Absent or not voting:

Aiken	Fackler	Miller	Rassler
Berry	Frahm	Oliver	Slemmons
Bradley	Garber of Floyd	Patterson	Ulstad
Carter	Gesman	Potts	Wamstad
Colbert	Hansen	Quirk	Williams
Cole	Hempel	Ramsey	Yenter—26
Diltz	Huff		

The House concurred in Senate amendments Nos. 1, 2, 3 and 5 to House File No. 68.

Children of Pottawattamie offered the following amendment to Senate amendment No. 4 and moved its adoption:

Amend Senate amendment to section seventy-seven (77) of House File No. 68 by substituting therefor the following:

Amend Sec. 77 by striking out of lines 2 and 3 following the comma after the word "department" the words "whenever it deems it necessary for the welfare of the state or".

Amendment adopted.

Mr. Children moved that the House concur in Senate amendment No. 4, as amended.

## On the question "Shall the House concur?"

The ayes were:

Anderson of Webster	Gallagher	Letts	Robson
Anderson of Winnebago	Garber of Adair	Lichty	Rumley
Blume	Gibson	Lieberknecht	Rust
Bradley	Gilbert	Long	Saunders
Brady	Gilbertson	Lovrien	Schirmer
Brittain	Gilmore	McClune	Schulte
Buffington	Graham	Mathews	Scott of Appanoose
Children	Grimwood	Matthiesen	Scott of Fremont
Clark	Harrison	Moen	Slemmons
Cole	Hauge	Napier	Smith of Chickasaw
Criswell	Healy	Natvig	Smith of Lucas
Dewar	Held	Noble	Stock
Donhowe	Hempel	O'Donnell	Stookesberry
Dooley	Henderson	Olson	Storey
Doolittle	Himebauch	Ontjes	Strippel
Dotts	Hollis	Orr	Venard
Edge	Huff	Parsons	Vincent
Edson	Johnson	Peterson	Weber
Elliott	King	Rankin	Wolfe—81
Forsling	Knutson	Rewoldt	
	Lake	Rhinehart	

The nays were, none.

Absent or not voting:

Aiken	Frahm	Oliver	Sampson
Berry	Garber of Floyd	Patterson	Ulstad
Blake	Gesman	Potts	Wamstad
Carter	Hansen	Powers	Williams
Colbert	Hattendorf	Quirk	Wilson
Diltz	Leonard	Ramsey	Yenter—27
Fackler	Miller	Rassler	

The House concurred in the Senate amendment to section 77, as amended, of House File No. 68.

## CONSIDERATION OF BILLS

Senate File No. 316, a bill for an act to legalize the levy, assessment, collection and transfer of certain school taxes in Union township, Cass county, Iowa, from the school house fund to the general fund, with report of committee recommending passage, was taken up for consideration.

Huff of Cass moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Alken	Elliott	King	Robson
Anderson of	Forsling	Knutson	Rust
Webster	Frahm	Leonard	Schirmer
Blake	Garber of Floyd	Lichty	Schulte
Blume	Gibson	Lieberknecht	Scott of
Brady	Gilbertson	Mathews	Appanoose
Brittain	Gilmore	Matthlesen	Scott of Fremont
Buffington	Graham	Moen	Slemmons
Children	Hansen	Napier	Smith of
Colbert	Harrison	Natvig	Chickasaw
Cole	Hattendorf	Noble	Stock
Criswell	Hauge	Olson	Stookesberry
Dewar	Hempel	Parsons	Strippel
Dooley	Henderson	Peterson	Venard
Doolittle	Himebauch	Powers	Weber
Dotts	Hollis	Rassler	Wilson
Edge	Huff	Rhinehart	Yenter—65

## The nays were, none:

## Absent or not voting:

Anderson of	Garber of Adair	McClune	Rewoldt
Winnebago	Gesman	Miller	Rumley
Berry	Gilbert	O'Donnell	Sampson
Bradley	Grimwood	Oliver	Saunders
Carter	Healy	Ontjes	Smith of Lucas
Clark	Held	Orr	Storey
Diltz	Johnson	Patterson	Ulstad
Donhowe	Lake	Potts	Vincent
Edson	Letts	Quirk	Wamstad
Fackler	Long	Ramsey	Williams
Gallagher	Lovrien	Rankin	Wolfe—43

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 177, a bill for an act to amend, revise, and codify sections three thousand six hundred thirty (3630), three thousand six hundred thirty-one (3631), three thousand seven hundred twenty-six (3726), three thousand seven hundred thirty-three (3733), three thousand seven hundred thirty-seven (3737), three thousand seven hundred forty-one (3741), three thousand seven hundred fifty-nine (3759), three thousand eight hundred ninety-seven (3897), three thousand nine hundred five (3905), three thousand nine hundred nine (3909), three thousand nine hundred eighty-three (3983), four thousand nine (4009), four thousand thirty-one (4031) to four thousand thirty-four (4034), inclusive, four thousand thirty-seven (4037), four thousand thirty-nine (4039) to four thousand forty-one (4041), inclusive, four thousand fifty-two (4052), and four thousand fifty-three (4053) of the compiled code of Iowa, and sections three thousand four

hundred eighty-five (3485), three thousand seven hundred fifty-eight (3758), four thousand thirty-eight (4038), and four thousand fifty-one (4051) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up for consideration.

The amendments proposed by the committee, found in the Journal of April 14th, were taken up and considered.

On motion of Blake of Fayette the committee amendments were adopted.

Mr. Blake moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Leonard	Sampson
Anderson of	Frahm	Lichty	Schirmer
Webster	Garber of Floyd	Lieberknecht	Schulte
Blake	Gibson	Mathews	Scott of
Blume	Gilbertson	Matthiesen	Appanoose
Brady	Gilmore	Moen	Scott of Fremont
Brittain	Graham	Napier	Slemmons
Buffington	Hansen	Natvig	Smith of
Children	Hattendorf	Noble	Chickasaw
Colbert	Hauge	Olson	Smith of Lucas
Cole	Hempel	Parsons	Stock
Criswell	Henderson	Peterson	Stookesberry
Dooley	Himebauch	Powers	Strippel
Doolittle	Hollis	Rassler	Venard
Dotts	Huff	Rhinehart	Weber
Edge	King	Robson	Wilson
Elliott	Knutson	Rust	Yenter—65

The nays were, none.

Absent or not voting:

Anderson of	Gallagher	Long	Ramsey
Winnebago	Garber of Adair	Lovrien	Rankin
Berry	Gesman	McClune	Rewoldt
Bradley	Gilbert	Miller	Rumley
Carter	Grimwood	O'Donnell	Saunders
Clark	Harrison	Oliver	Storey
Dewar	Healy	Ontjes	Ulstad
Dilts	Held	Orr	Vincent
Donhowe	Johnson	Patterson	Wamstad
Edson	Lake	Potts	Williams
Fackler	Letts	Quirk	Wolfe—43

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## CONSIDERATION OF CONFERENCE COMMITTEE REPORT

The following conference committee report on Senate File No. 125 was taken up and considered:

MR. SPEAKER: Your conference committee on Senate File No. 125 beg leave to submit the following recommendations:

1. That the House recede from its amendments to the title.
2. That section 1 of the bill be stricken and the following be inserted in lieu thereof:

"Section 1. Duty to enforce.

The provisions of this chapter shall be enforced:

1. By the board of supervisors as to all county and primary roads.
2. By the councils and commissioners of all cities and towns, irrespective of their local form of government, as to all roads, streets, and other lands within said cities and towns.
3. By the township trustees as to all township roads and as to all other lands, including railroad lands, within the township not embraced in paragraphs one (1) and two (2) hereof."
3. That the Senate concur in House amendment to section 2.
4. That section 3 be amended by inserting after the word "land" in line 2, a comma (,) and the words "including railroad lands".

Also by striking out of lines 11, 12 and 13 of subsection 2 of section 3 the words "near the surface of the ground, between July first and August first of each year, or sooner if necessary to prevent the maturity of the weeds" and insert in lieu thereof the words, "or destroyed in the manner and at the time prescribed by the board of supervisors".

5. That the words "or private lands" be stricken from the House amendment to section 5 and that the Senate concur in the House amendments to sections 5, 6 and 6-a1.
6. That the House recede from its amendment to line 3 of section 7.
7. That the Senate concur in the other House amendments to section 7.
8. That the House recede from its amendments to section 9 and that sections 9 and 9-a1 be stricken and the following inserted in lieu thereof:

"Section 9. Notice of assessment.

Before making said assessment, thirty (30) days notice shall be given such owner of the time and place of meeting of the trustees, council, commissioners, or board of supervisors, which notice shall also contain a statement of the work done and the expense thereof with costs, and shall be given by posting a copy thereof on the premises affected and by mailing a copy thereof by registered mail to the last known address of the person owning or controlling the same. At such time and place such owner may appear with the same rights given by law before boards of review upon increase in assessments."

9. That the bill be amended by inserting as sections 10, 10-a1 and 10-a2 the following:

"Section 10. Duty to make complaint.

It shall be the duty of all officers directly responsible for the care of public highways to make complaint to the proper township trustees or town councils or commissioners or board of supervisors, as the case may be, whenever it shall appear that the provisions of section 3 thereof may not be complied with in time to prevent the blooming and maturity of noxious weeds or the unlawful growth of weeds, whether in the streets or highways for which they are responsible or upon lands adjacent to the same.

Section 10-a1. Report—to whom made.

It shall be the duty of the township clerk, between the fifteenth and thirtieth days of October of each year, to make report to the board of supervisors of the county in which his township is situated as to the presence and location of noxious weeds that have been reported or found within the township and the steps taken to bring about the destruction thereof, a copy of which report shall be forwarded to the board of supervisors to be kept on file and a copy of the same to be forwarded by them to the secretary of agriculture not later than the first day of December following.

Section 10-a2. Complaint—duty of county attorney.

It shall be the duty of the county attorney, upon complaint of any citizen that any officer charged with the enforcement of the provisions of this chapter has neglected or failed to perform his duty, to enforce the performance of such duty."

J. A. KING,  
W. C. CHILDREN,  
FRANCIS JOHNSON,  
G. L. VENARD,  
*Conferees on part of House.*

W. J. GOODWIN,  
O. L. MEAD,  
H. C. WHITE,  
JAS. F. JOHNSTON,  
*Conferees on part of Senate.*

King of Clay moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee on Senate File No. 125 and the amendments proposed by said conference committee be adopted?"

The ayes were:

Aiken	Garber of Floyd	Leonard	Rust
Anderson of Webster	Gibson	Lichty	Schirmer
Blake	Gilbertson	Lieberknecht	Schulte
Brady	Gilmore	Mathews	Scott of Fremont
Brittain	Graham	Matthiesen	Slemmons
Buffington	Hansen	Moen	Smith of Chickasaw
Children	Harrison	Napier	Stock
Colbert	Hattendorf	Natvig	Stookesberry
Cole	Hauge	Noble	Strippel
Dewar	Hempel	Olson	Venard
Donhowe	Henderson	Parsons	Weber
Doolittle	Himebauch	Peterson	Wilson
Dotts	Huff	Powers	Wolfe
Edge	King	Rhinehart	Yenter—59
Forsling	Knutson	Robson	

The nays were:

Blume—1

Absent or not voting:

Anderson of Winnebago	Gallagher	McClune	Rewoldt
Berry	Garber of Adair	Miller	Rumley
Bradley	Gesman	O'Donnell	Sampson
Carter	Gilbert	Oliver	Saunders
Clark	Grimwood	Ontjes	Scott of Appanoose
Criswell	Healy	Orr	Smith of Lucas
Diltz	Held	Patterson	Storey
Dooley	Hollis	Potts	Ulstad
Edson	Johnson	Quirk	Vincent
Elliott	Lake	Ramsey	Wamstad
Fackler	Letts	Rankin	Williams—48
Frahm	Long	Rassler	
	Lovrien		

The conference committee report on Senate File No. 125 and the amendments proposed by said conference committee were adopted.

#### MEMBERS OF JUDICIARY COMMITTEE EXCUSED

Clark of Linn moved that the members of the committee on judiciary be excused for committee work for the remainder of the afternoon.

Motion prevailed.

#### SPECIAL ORDER MADE

On request of Dewar of Cherokee, unanimous consent having been obtained, the Senate amendments to House File No. 90 were made a special order for Wednesday, April 16th, at 10:30 a. m.

## HOUSE FILE WITHDRAWN

On request of Gilbert of Marshall, unanimous consent having been obtained, House File No. 177 was withdrawn from further consideration by the House.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the Senate has concurred in the House amendment to Senate File No. 309, a bill for an act authorizing the purchase by the state of Iowa of certain lands and making an appropriation for the purchase price of said lands.

LEON W. AINSWORTH, *Secretary*.

Hauge of Polk moved that the House adjourn until 10:00 a. m. Wednesday.

Moen of Lyon moved to amend the motion by changing the hour from 10:00 a. m. to 9:00 a. m.

Amendment adopted.

Motion of Hauge of Polk, as amended, prevailed.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 16, 1924.

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

Prayer was offered by the Rev. Dilman Smith, chaplain of Iowa Methodist hospital, Des Moines.

Journal of April 15th corrected and approved.

## CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 34

Ulstad of Wright, from the conference committee on House File No. 34, submitted the following report and moved its adoption:

MR. SPEAKER: Your conference committee appointed for the consideration of the differences between the Senate and House on House File No. 34, a bill for an act to amend, revise and codify chapter twenty-one (21) of title four (4) of the compiled code of Iowa and of the supplement to said code relating to removal from office, beg leave to report that we have had these differences under consideration and have been unable to agree on any compromise on the differences existing between the Senate and House on said bill.

OSCAR ULSTAD,  
WARD B. SMITH,  
WM. L. LONG,  
W. R. BLAKE,

*House Conferees.*

R. P. SCOTT,  
GEO. B. PERKINS,  
B. J. HORCHEM,  
J. L. BROOKHART,

*Senate Conferees.*

The report was adopted and the committee discharged.

## LEAVE OF ABSENCE

On motion of Buffington of Mills, Ontjes of Grundy was excused indefinitely, on account of illness.

On motion of Forsling of Woodbury, Diltz of Polk was excused indefinitely.

#### CONFERENCE COMMITTEE REPORTS CONSIDERED

Cole of Harrison asked unanimous consent to withdraw the first report of the second conference committee on House File No. 213, found in the House Journal of April 10th.

No objection being made, the report was withdrawn.

The second report of the second conference committee on House File No. 213, found in the House Journal of April 15th, was taken up and considered.

Cole of Harrison moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee on House File No. 213 and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of Webster	Edge Garber of Floyd	Mathews Rankin	Smith of Chickasaw
Blume	Harrison	Rassler	Stock
Bradley	Knutson	Sampson	Strippel
Cole	Letts	Schirmer	Vincent
Criswell	Lovrien	Slemmons	Wolfe—23
Dotts			

The nays were:

Aiken	Gilbert	Lake	Robson
Berry	Gilbertson	Leonard	Rumley
Blake	Graham	Lichty	Rust
Brady	Grimwood	Long	Saunders
Brittain	Hansen	McClune	Schulte
Buffington	Hattendorf	Matthiesen	Scott of
Colbert	Hauge	Miller	Appanoose
Dewar	Healy	Napier	Scott of Fremont
Dooley	Held	Natvig	Smith of Lucas
Doolittle	Hempel	Noble	Stookesberry
Edson	Henderson	Oliver	Venard
Forsling	Himebauch	Olson	Wamstad
Frahm	Hollis	Orr	Weber
Gallagher	Huff	Parsons	Wilson
Garber of Adair	Johnson	Quirk	Yenter
Gibson	King	Rhinehart	Mr. Speaker—63

Absent or not voting:

Carter	Clark	Donhowe	Fackler
Children	Diltz	Elllott	Gesman

Gilmore	Ontjes	Powers	Storey
Lieberknecht	Patterson	Ramsey	Ulstad
Moen	Peterson	Rewoldt	Williams—22
O'Donnell	Potts		

The House refused to adopt the second report of the second conference committee on House File No. 213 and the amendments proposed by said conference committee.

#### APPOINTMENT OF SECOND CONFERENCE COMMITTEE

As a second conference committee on House File No. 34, the Speaker appointed the following members on the part of the House: Rassler of Pocahontas, Mathews of Des Moines, Aiken of Ida and Scott of Appanoose.

#### 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 refused to concur in the House amendments to the Substitute for Senate File No. 186, a bill for an act relating to mill dams, races and water power improvements.

Also, that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate File No. 321, a bill for an act relating to the qualifications of school officers.

Also, that the Senate has adopted the conference committee report and concurred in the amendments proposed therein on House File No. 66, a bill for an act relating to state fair and agricultural organizations receiving state aid.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 114, a bill for an act relating to education.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 315, a bill for an act to authorize the executive council to sell certain property of the state.

Also, that the Senate has adopted the following resolution in which the concurrence of the House is asked:

Concurrent Resolution No. 18, relative to the services of employes after adjournment.

LEON W. AINSWORTH, *Secretary*.

#### SENATE CONCURRENT RESOLUTION NO. 18

*Resolved by the Senate, the House concurring:* That the Secretary of the Senate and the Chief Clerk of the House, be required to remain at the

capitol and perform their respective duties for so long a time as may be necessary following the recess adjournment of the special session of the fortieth general assembly, and that they be authorized to select such of their respective assistants as may be necessary for such time as may be required for the purpose of reading, correcting and certifying the records of the session; the shipping of books and supplies to the homes of the members and otherwise closing up the business of their respective offices: That the Secretary of the Senate and the Chief Clerk of the House are hereby authorized to correct the Journal of the Senate and House respectively for the last day preceding said recess adjournment; that each of said employees shall receive the same compensation per day for such extra service performed as they now receive, to be paid by the auditor of state upon certification by the president and secretary of the Senate and the speaker and chief clerk of the House.

Laid over under rule 34.

#### SENATE MESSAGE CONSIDERED

Senate File No. 321, a bill for an act to amend, revise, and codify section twenty-five hundred forty-six (2546) of the compiled code, relating to the qualifications of school officers.

Read first and second times and passed on file.

#### HOUSE INSISTS UPON AMENDMENTS

Doolittle of Delaware moved that the House insist upon its amendments to Substitute for Senate File No. 186.

Motion prevailed.

#### CONSIDERATION OF BILLS

Senate File No. 318, a bill for an act to legalize the establishment of the County Area Tuberculosis Eradication Plan in the several counties of the state and the proceedings of boards of supervisors, county auditors, county treasurers, and the secretary of agriculture. in the establishment of such areas, the levy, spreading, and collection of taxes therefor as is provided in chapter forty-eight (48) of the laws of the Fortieth (40) General Assembly of Iowa, was taken up for consideration.

McClune of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Anderson of	Graham	Lovrien	Rust
Webster	Grimwood	McClune	Sampson
Berry	Hansen	Mathews	Saunders
Bradley	Harrison	Matthiesen	Schirmer
Brittain	Hattendorf	Miller	Scott of Fremont
Buffington	Held	Napier	Smith of
Colbert	Hempel	Natvig	Chickasaw
Dotts	Henderson	Noble	Smith of Lucas
Edge	Himebauch	O'Donnell	Stock
Edson	Hollis	Olson	Strippel
Elliott	Johnson	Parsons	Venard
Forsling	King	Patterson	Vincent
Gallagher	Knutson	Peterson	Wamstad
Garber of Adair	Leonard	Powers	Weber
Gibson	Letts	Rankin	Wilson
Gilbert	Lichty	Rewoldt	Wolfe
Gilbertson	Lieberknecht	Rhinehart	Mr. Speaker—69
Gilmore	Long	Robson	

## The nays were:

Blake	Frahm	Scott of	Stookesberry—8
Blume	Oliver	Appanoose	
Dooley	Schulte		

## Absent or not voting:

Aiken	Diltz	Huff	Rassler
Brady	Donhowe	Lake	Rumley
Carter	Doolittle	Moen	Slemmons
Children	Fackler	Ontjes	Storey
Clark	Garber of Floyd	Orr	Ulstad
Cole	Gesman	Potts	Williams
Criswell	Hauge	Quirk	Yenter—31
Dewar	Healy	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## CONSIDERATION OF JOINT RESOLUTION

House Joint Resolution No. 7, joint resolution providing for the publication of House File No. 100, an act relating to education—school districts, and House File No. 110, an act relating to education—school funds and bonds, was taken up and considered.

Venard of Sioux moved that the joint resolution be read a third time now and placed upon its passage, which motion prevailed and the joint resolution was read a third time.

## HOUSE JOINT RESOLUTION NO. 7

Joint resolution providing for the publication of House File No. 100, an act relating to education—school districts, and House File No. 110, an act relating to education—school funds and bonds.

Whereas, Conditions exist which make it desirable that House File No. 100, an act relating to education—school districts, and House File No. 110, an act relating to education—school funds and bonds, passed by the special session of the Fortieth General Assembly become effective at once in order to give the people of the state of Iowa the benefit thereof, therefore,

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

Section 1. Publication clause. That House File No. 100 and House File No. 110, bills passed by the special session of the Fortieth General Assembly and approved by the Governor, being deemed of immediate importance shall take effect and be in full force from and after their publication in the Des Moines News and The Iowa Forum, newspapers published in the city of Des Moines, Iowa, and the secretary of state is hereby authorized and directed to cause House File No. 100 and House File No. 110 to be published as provided herein.

On the question "Shall the joint resolution pass?"

The ayes were:

Anderson of	Gibson	Lovrien	Saunders
Webster	Gilbert	Mathews	Schirmer
Berry	Gilbertson	Matthiesen	Schulte
Blake	Gilmore	Miller	Scott of
Blume	Graham	Moen	Appanoose
Brady	Grimwood	Napier	Scott of Fremont
Brittain	Harrison	Natvig	Slemmons
Buffington	Hattendorf	Noble	Smith of
Carter	Hauge	O'Donnell	Chickasaw
Colbert	Hempel	Oliver	Smith of Lucas
Cole	Henderson	Olson	Stock
Criswell	Himebauch	Orr	Stokesberry
Dewar	Hollis	Parsons	Strippel
Donhowe	Huff	Patterson	Venard
Dooley	Johnson	Peterson	Vincent
Doolittle	King	Powers	Wamstad
Dotts	Lake	Rankin	Weber
Edge	Leonard	Rassler	Williams
Edson	Letts	Rewoldt	Wilson
Frahm	Lichty	Rhinehart	Wolfe
Gallagher	Lieberknecht	Robson	Yenter
Garber of Adair	Long	Rust	Mr. Speaker—85

The nays were, none.

Absent or not voting:

Aiken	Fackler	Held	Ramsey
Bradley	Forsling	Knutson	Rumley
Children	Garber of Floyd	McClune	Sampson
Clark	Gesman	Ontjes	Storey
Diltz	Hansen	Potts	U'lstad—23
Elliott	Healy	Quirk	

The joint resolution having received a constitutional majority was declared to have passed the House. The title was agreed to.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on April 15th, approved the following bills: House Files Nos. 134 and 220.

## HOUSE FILE WITHDRAWN

On request of McClune of Mahaska, unanimous consent having been obtained, House File No. 321 was withdrawn from further consideration by the House.

## CONSIDERATION OF BILLS

House File No. 326, a bill for an act to amend chapter one hundred eight (108) of the laws of the Fortieth General Assembly relating to the rate of interest on bonds, was taken up for consideration.

Elliott of Scott moved the previous question .

Motion prevailed.

Garber of Adair moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blake	Gibson	Lovrien	Saunders
Bradley	Graham	McClune	Schirmer
Brady	Grimwood	Mathews	Schulte
Brittain	Hansen	Matthiesen	Scott of
Clark	Hauge	Miller	Appanoose
Colbert	Healy	Natvig	Slemmons
Cole	Heid	O'Donnell	Smith of
Criswell	Hempel	Olson	Chickasaw
Dewar	Henderson	Patterson	Stock
Donhowe	Himebauch	Peterson	Storey
Dooley	Hollis	Potts	Strippel
Doolittle	Huff	Powers	Venard
Dotts	Johnson	Quirk	Vincent
Edge	King	Rankin	Weber
Edson	Knutson	Rhinehart	Williams
Elliott	Lake	Robson	Wilson
Forsling	Letts	Rumley	Wolfe
Frahm	Lichty	Rust	Yenter
Gallagher	Lieberknelht	Sampson	Mr. Speaker—76
Garber of Adair	Long		

The nays were:

Anderson of Webster	Children Gilbertson	Napier Orr	Scott of Fremont Smith of Lucas
Blume Buffington	Hattendorf Leonard	Parsons Rassler	Stookesberry—14

Absent or not voting:

Aiken Berry Carter Diltz Fackler	Garber of Floyd Gesman Gilbert Gilmore Harrison	Moen Noble Oliver Ontjes	Ramsey Rewoldt Ulstad Wamstad—18
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So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Dewar of Cherokee, House File No. 90, a bill for an act to amend, revise, and codify sections two thousand three hundred eighteen (2318) to two thousand three hundred twenty-six (2326), inclusive, two thousand three hundred twenty-nine (2329) to two thousand three hundred forty-four (2344), inclusive, two thousand three hundred forty-seven (2347), two thousand three hundred ninety-eight (2398) to two thousand four hundred fourteen (2414), inclusive, two thousand four hundred thirty-two (2432), two thousand four hundred thirty-six (2436), two thousand four hundred thirty-seven (2437), two thousand four hundred forty (2440) and two thousand four hundred forty-four (2444) of the compiled code of Iowa, and sections two thousand three hundred twenty-seven (2327) and two thousand three hundred twenty-eight (2328) of the supplement to said code, relating to education, with Senate amendments, found in the House Journal of April 9th, was taken up for further consideration.

The following amendment filed by Storey of Warren to the Senate amendments was taken up and considered:

Amend the second Senate amendment to House File No. 90 by striking out the period after the last word thereof, and inserting a comma and the following words to-wit: "provided that the state board of education shall not contract for this purpose for the expenditure of more than \$5,000 in any one county, nor in the aggregate for more than \$20,000 during any one year."

Mr. Storey moved the adoption of the amendment.

Slemmons of Buchanan moved the previous question on the amendment by Storey of Warren.

Motion prevailed.

On the question "Shall the amendment by Storey of Warren be adopted?" a roll call was demanded.

The ayes were:

Aiken	Gilbertson	Napier	Scott of
Anderson of	Harrison	Natvig	Appanoose
Webster	Hattendorf	Noble	Scott of Fremont
Berry	Hempel	Oliver	Slemmons
Blume	Huff	Olson	Smith of
Brady	Leonard	Orr	Chickasaw
Brittain	Long	Parsons	Smith of Lucas
Buffington	Lovrien	Patterson	Stookesberry
Children	Mathews	Quirk	Storey
Criswell	Matthiesen	Rassler	Ulstad
Dooley	Miller	Rewoldt	Venard
Dotts	Moen	Schulte	Wolfe—46
Frahm			

The nays were:

Blake	Garber of Adair	Lake	Rust
Bradley	Gibson	Letts	Sampson
Carter	Gilbert	Lichty	Saunders
Clark	Gilmore	Lieberknecht	Schirmer
Colbert	Grimwood	McClune	Stock
Dewar	Hauge	O'Donnell	Strippel
Donhowe	Healy	Peterson	Vincent
Doolittle	Henderson	Potts	Weber
Edge	Himebauch	Rankin	Williams
Edson	Hollis	Rhinehart	Wilson
Elliott	Johnson	Robson	Yenter
Forsling	Knutson	Rumley	Mr. Speaker—49
Gallagher			

Absent or not voting:

Cole	Gesman	Held	Powers
Diltz	Graham	King	Ramsey
Fackler	Hansen	Ontjes	Wamstad—13
Garber of Floyd			

The amendment by Storey of Warren to the Senate amendments was rejected.

Dewar of Cherokee moved that the House concur in the Senate amendments.

On the question "Shall the House concur?"

## The ayes were:

Blake	Gibson	Lake	Rust
Bradley	Gilbert	Letts	Sampson
Carter	Gilmore	Lichty	Saunders
Clark	Graham	Lieberknecht	Schirmer
Colbert	Grimwood	McClune	Smith of
Cole	Hauge	Matthiesen	Chickasaw
Dewar	Healy	Moen	Stock
Donhowe	Held	O'Donnell	Strippel
Doolittle	Hempel	Peterson	Vincent
Dotts	Henderson	Potts	Weber
Edge	Himebauch	Rankin	Williams
Edson	Hollis	Rhinehart	Wilson
Forsling	Johnson	Robson	Yenter
Gallagher	Knutson	Rumley	Mr. Speaker—56
Garber of Adair			

## The nays were:

Alken	Frahm	Napier	Schulte
Anderson of	Gilbertson	Natvig	Scott of Fremont
Webster	Harrison	Noble	Siemons
Berry	Hattendorf	Oliver	Smith of Lucas
Blume	Huff	Olson	Stookesberry
Brady	King	Orr	Storey
Brittain	Leonard	Parsons	Ulstad
Buffington	Long	Patterson	Venard
Children	Lovrien	Quirk	Wamstad
Criswell	Mathews	Rassler	Wolfe—42
Dooley	Miller	Rewoldt	

## Absent or not voting:

Diltz	Garber of Floyd	Ontjes	Scott of
Elliott	Gesman	Powers	Appanoose—10
Fackler	Hansen	Ramsey	

The House concurred in the Senate amendments to House File No. 90.

Dewar of Cherokee moved to reconsider the vote by which the House concurred in the Senate amendments to House File No. 90 and lay the motion to reconsider on the table.

Motion prevailed.

## APPOINTMENT OF CONFERENCE COMMITTEE

As a conference committee on Substitute for Senate File No. 186, the Speaker appointed the following members on the part of the House: Saunders of Palo Alto, Schirmer of Jackson, Doolittle of Delaware and Garber of Adair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the President has appointed as members of the conference committee on the part of the Senate on Senate File No. 186, Senators Brookins, Fulton, Dutcher and Tuck.

Also, that the Senate has concurred in House amendments to Senate File No. 177, a bill for an act relating to municipal corporations.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 322, a bill for an act to make emergency appropriations for the Iowa school for the deaf.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 325, a bill for an act making an appropriation for the Iowa state college of agriculture and mechanic arts.

LEON W. AINSWORTH, *Secretary.*

## HOUSE FILE WITHDRAWN

On request of Hauge of Polk, unanimous consent having been obtained, House File No. 318 was withdrawn from the committee on judiciary and from further consideration by the House.

On motion of Ulstad of Wright the House adjourned until 1:30 p. m. today.

## AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 182, 207, 309, 310, and 311.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 182, 207, 309, 310 and 311.

## SUPPLEMENTARY REPORT OF CONFERENCE COMMITTEE

Children of Pottawattamie, from the conference committee on House File No. 65, submitted the following supplementary report:

MR. SPEAKER: Your conference committee to whom was referred the disagreement between the Senate and House on House File No. 65, relating to the department of agriculture, beg leave to submit the following supplementary report in addition to the report previously submitted:

That the Senate concur in the House amendment to the Senate amendment to section six (6) subsection ten (10).

W. C. CHILDREN,  
HOWARD A. MATHEWS,  
BREDE WAMSTAD,  
T. W. NAPIER,  
*Conferees on part of House.*

J. M. SLOSSON,  
P. C. HOLDOEGEL,  
O. L. MEAD,  
GEO. S. HARTMAN,  
*Conferees on part of Senate.*

Mr. Children moved the adoption of the supplementary report and the amendments proposed therein.

On the question "Shall the supplementary report of the conference committee and the amendments proposed therein be adopted?"

The ayes were:

Aiken	Gibson	Lieberknecht	Rust
Anderson of	Gilbertson	Long	Schirmer
Webster	Graham	McClune	Schulte
Berry	Grimwood	Mathews	Scott of Fremont
Blake	Harrison	Matthiesen	Slemmons
Blume	Hattendorf	Napier	Smith of
Brady	Healy	Natvig	Chickasaw
Brittain	Held	Noble	Smith of Lucas
Buffington	Hempel	Orr	Stock
Carter	Henderson	Parsons	Stookesberry
Children	Himebauch	Peterson	Storey
Colbert	Hollis	Potts	Strippel
Cole	Huff	Powers	Ulstad
Dooley	Johnson	Quirk	Wamstad
Dotts	King	Rankin	Weber
Elliott	Knutson	Rassler	Wilson
Forsling	Lake	Rewoldt	Wolfe
Frahm	Leonard	Robson	Yenter
Gallagher	Lichty	Rumley	Mr. Speaker—75
Garber of Floyd			

The nays were, none.

## Absent or not voting:

Bradley	Fackler	Miller	Rhinehart
Clark	Garber of Adair	Moen	Sampson
Criswell	Geeman	O'Donnell	Saunders
Dewar	Gilbert	Oliver	Scott of
Diltz	Gilmore	Olson	Appanoose
Donhowe	Hansen	Ontjes	Venard
Doolittle	Hauge	Patterson	Vincent
Edge	Letts	Ramsey	Williams—33
Edson	Lovrien		

The supplementary report of the conference committee on House File No. 65 and the amendments proposed therein were adopted.

Senate File No. 321, a bill for an act to amend, revise, and codify section twenty-five hundred forty-six (2546) of the compiled code, relating to the qualifications of school officers, was taken up for consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third readings of a bill on the same day, Carter of Hardin moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Alken	Garber of Floyd	McClune	Sampson
Anderson of	Gibson	Mathews	Saunders
Webster	Gilbertson	Matthiesen	Schirmer
Berry	Graham	Moen	Schulte
Blake	Grimwood	Napier	Scott of Fremont
Blume	Harrison	Natvig	Slemmons
Brady	Hattendorf	Noble	Smith of
Brittain	Healy	O'Donnell	Chickasaw
Buffington	Held	Oliver	Smith of Lucas
Carter	Hempel	Orr	Stock
Children	Henderson	Parsons	Stookesberry
Cole	Himebauch	Patterson	Storey
Dewar	Hollis	Peterson	Strippel
Dooley	Huff	Potts	Ulstad
Doolittle	Johnson	Powers	Venard
Dotts	King	Quirk	Wamstad
Edge	Knutson	Rankin	Weber
Elliott	Lake	Rewoldt	Williams
Forsling	Lichty	Robson	Wilson
Frahm	Lieberknecht	Rumley	Wolfe
Gallagher	Long	Rust	Mr. Speaker—82

The nays were, none.

## Absent or not voting:

Bradley	Fackler	Leonard	Rassler
Clark	Garber of Adair	Letts	Rhinehart
Colbert	Gesman	Lovrien	Scott of
Criswell	Gilbert	Miller	Appanoose
Diltz	Gilmore	Olson	Vincent
Donhowe	Hansen	Ontjes	Yenter—26
Edson	Hauge	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 312, a bill for an act to amend, revise, and codify section five thousand three hundred ninety-nine (5399) of the compiled code relating to shares of stock in cooperative associations, with report of committee recommending passage, was taken up for consideration.

Doolittle of Delaware moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Floyd	Long	Rust
Anderson of	Gibson	McClune	Sampson
Webster	Gilbert	Mathews	Saunders
Berry	Gilbertson	Matthiesen	Schirmer
Blake	Graham	Miller	Schulte
Blume	Grimwood	Moen	Scott of Fremont
Brady	Harrison	Napier	Slemmons
Brittain	Hattendorf	Natvig	Smith of
Buffington	Healy	Noble	Chickasaw
Carter	Held	O'Donnell	Smith of Lucas
Children	Hempel	Oliver	Stock
Colbert	Henderson	Orr	Stookesberry
Cole	Himebauch	Parsons	Storey
Criswell	Hollis	Patterson	Strippel
Dewar	Huff	Peterson	Ulstad
Donhowe	Johnson	Potts	Venard
Dooley	King	Powers	Vincent
Doolittle	Knutson	Quirk	Wamstad
Dotts	Lake	Rankin	Weber
Edge	Leonard	Rassler	Williams
Elliott	Letts	Rewoldt	Wilson
Forsling	Lichty	Robson	Wolfe
Frahm	Lieberknecht	Rumley	Mr. Speaker—91
Gallagher			

The nays were, none.

Absent or not voting:

Bradley	Diltz	Fackler	Gesman
Clark	Edson	Garber of Adair	Gilmore

Hansen	Olson	Rhinehart	Yenter—17
Hauge	Ontjes	Scott of	.
Lovrien	Ramsey	Appanoose	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE RESOLUTION

The following resolution was offered:

MR. SPEAKER: *Whereas*, a resolution has been adopted by the House calling for investigation of the department of public instruction and May E. Francis, superintendent of public instruction; and

*Whereas*, The superintendent of public instruction, May E. Francis, in response to such resolution has formally requested that such investigation be made and has tendered her full cooperation and assistance therein; and

*Whereas*, It is necessary the committee be represented by counsel and a record of the said proceedings be had; therefore,

*Be It Resolved by the House of Representatives of the Fortieth General Assembly, in special session:* That the committee on judiciary of the House be and is hereby authorized to employ such counsel and stenographic assistance as it may deem necessary.

EARL W. VINCENT,  
W. C. EDSON,  
FRED C. LOVRIEN,  
JNO. A. STOREY,  
F. C. SAMPSON,  
L. V. CARTER,  
CLYDE H. DOOLITTLE.

Laid over under rule 34.

#### APPOINTMENT OF CONFERENCE COMMITTEE

As a third conference committee on House File No. 213, the Speaker appointed the following members on the part of the House: Forsling of Woodbury, Stock of Allamakee, Saunders of Palo Alto and Gilbertson of Winneshiek.

#### REPORTS OF COMMITTEES

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 324, a bill for an act to legalize the transfer of funds by the board of supervisors of Wapello 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.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 313, a bill for an act to legalize a certain warrant issued by the board of supervisors of Monroe 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.

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 323, a bill for an act to legalize the voting of bonds for the extension of the waterworks system in Ames, Iowa, at a special election held on April 30, 1923, and to legalize the issuance of such 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, and when so amended the bill do pass:

Amend by striking out all of section 2 and inserting in lieu thereof the following:

"Sec. 2. That all proceedings in reference to said special election are hereby legalized and the city of Ames is hereby authorized to issue said bonds in the sum of seventy thousand dollars (\$70,000) as proposed at said election with the same force and effect as though said affirmative vote had been as large as the majority of votes cast at the preceding election".

C. F. CLARK, *Chairman.*

Report adopted.

#### CONSIDERATION OF BILLS

House File No. 323, a bill for an act to legalize the voting of bonds for an extension of the waterworks system in Ames, Iowa, at a special election held on April 30th, 1923, and to legalize the issuance of such bonds, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Donhowe of Story the amendments proposed by the committee, found in the Journal of this date, were adopted.

Mr. Donhowe moved that the bill be read a third time now

and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" rule 18 was invoked.

The ayes were:

Anderson of Webster	Garber of Adair	Long	Sampson
Berry	Gibson	Lovrien	Saunders
Bradley	Gilbert	McClune	Schirmer
Brady	Graham	Moen	Scott of Fremont
Brittain	Grimwood	O'Donnell	Smith of Chickasaw
Buffington	Hansen	Olson	Stock
Colbert	Hauge	Parsons	Storey
Criswell	Healy	Peterson	Strippel
Donhowe	Held	Powers	Venard
Doolittle	Hempel	Quirk	Weber
Dotts	Henderson	Rankin	Williams
Edge	Hollis	Rhinehart	Wolfe
Edson	Knutson	Robson	Yenter
Elliott	Letts	Rumley	Mr. Speaker—60
Gallagher	Lichty	Rust	
	Lieberknecht		

The nays were:

Blake	Gilbertson	Matthiesen	Rewoldt
Blume	Hattendorf	Miller	Schulte
Carter	Himebauch	Napier	Scott of Appanoose
Children	Huff	Natvig	Slemmons
Cole	Johnson	Noble	Smith of Lucas
Dooley	King	Oliver	Stookesberry
Forsling	Lake	Orr	Wamstad
Frahm	Leonard	Patterson	Wilson—35
Garber of Floyd	Mathews	Rassler	

Absent or not voting:

Aiken	Fackler	Harrison	Ramsey
Clark	Gesman	Ontjes	Ulstad
Dewar	Gilmore	Potts	Vincent—13
Diltz			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 313, a bill for an act to legalize a certain warrant issued by the board of supervisors of Monroe county, Iowa, with report of committee recommending passage, was taken up for consideration.

Berry of Monroe moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Anderson of	Gilbertson	Matthiesen	Saunders
Webster	Graham	Napier	Schirmer
Berry	Grimwood	Natvig	Scott of Fremont
Brady	Hattendorf	Noble	Stock
Brittain	Healy	O'Donnell	Stookesberry
Buffington	Hempel	Olson	Storey
Children	Henderson	Parsons	Strippel
Colbert	Hollis	Patterson	Ulstad
Criswell	Huff	Peterson	Venard
Donhowe	Knutson	Powers	Vincent
Dooley	Leonard	Quirk	Wamstad
Doolittle	Letts	Rankin	Weber
Dotts	Lichty	Rassler	Wilson
Elliott	Long	Rewoldt	Wolfe
Forsling	Lovrien	Rumley	Yenter
Gallagher	McClune	Rust	Mr. Speaker—65
Gibson	Mathews		

## The nays were:

Blume	Himebauch	Moen	Sampson
Carter	Johnson	Oliver	Schulte
Held	Lieberknecht	Orr	Williams—12

## Absent or not voting:

Aiken	Fackler	Hauge	Robson
Blake	Frahm	King	Scott of
Bradley	Garber of Adair	Lake	Appanoose
Clark	Garber of Floyd	Miller	Slemmons
Cole	Gasman	Ontjes	Smith of
Dewar	Gilbert	Potts	Chickasaw
Diltz	Gilmore	Ramsey	Smith of
Edge	Hansen	Rhinehart	Lucas—31
Edson	Harrison		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## HOUSE FILE WITHDRAWN

On request of Berry of Monroe, unanimous consent having been obtained, House File No. 317 was withdrawn from the committee on judiciary and from further consideration by 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 adopted the report of the conference committee on House File No. 34, a bill for an act relating to removal from office.

The President has appointed as members of a second conference committee on said bill, Senators Thurston, White, Wichman and Rees.

Also, that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House File No. 261, a bill for an act relating to regulation and inspection of foods and other articles.

LEON W. AINSWORTH, *Secretary.*

#### SENATE AMENDMENTS TO HOUSE FILE NO. 261

Amend by striking all of sections 20, 21 and 22.

Amend by inserting the following section:

"Sec. 27-a1. Institution of proceedings by department.

In any case when it appears that any of the provisions of this title have been violated, the inspector having the investigation in charge shall, when instructed by the department, file an information against the suspected party."

Amend section 42 by changing the words and figures "ten (10) by fourteen (14)" to the words and figures "twelve (12) by twenty-two (22)" in lines 7 and 8.

Amend section 49 by striking all after the word "milk" in line 2 and inserting the following: "or buttermilk cause the cream or milk from which the same is derived to be pasteurized according to the rules and regulations of the department."

Amend by inserting the following section:

"Sec. 49-a1. No wholesaler or retailer of milk or cream shall offer or expose for sale any milk or cream unless the same is produced from cows known to be free from tuberculosis, as evidenced by a certificate issued within one year by an accredited veterinarian, or unless the same shall have been pasteurized according to the established regulations of the department of agriculture."

Amend section 67 by inserting the word ", initials," in line 3, following the word "name".

Amend section 85 by adding after the word "form" in line 4 the words "and mineral mixtures".

Amend section 87 by inserting after the word "label" where it occurs in line 2, the words "or tag".

Amend section 90 by inserting the word "for" immediately after the word "orders" in line 1.

Also by inserting after the word "shall" in line 2, the following: ", except as otherwise provided in the following section,".

Amend by inserting the following section:

"Sec. 90-a1. Inspection fee for stock tonic.

Before any person shall solicit orders for, deliver, offer or expose for sale, or sell any stock tonic, he shall, in lieu of the inspection fee provided in the preceding section, pay to the department, on or before the fifteenth (15th) day of July each year, a general inspection fee of two

dollars and fifty cents (\$2.50) per annum for each product manufactured. Inspections shall be made as provided in chapter one (1) hereof."

Amend section 91 by striking out the word "the" in line 3 and inserting the word "any".

Also by striking out the words "in the preceding section" in line 4 and inserting the words "by this chapter".

Amend section 92 by striking out the words "or license" in line 1.

Amend section 93 by striking out the words "Inspection fees" in line one (1) and inserting in lieu thereof the following: "The inspection fee provided in sections ninety (90) and ninety-a1 (90-a1)".

Also by inserting the word "all" after the word "for" in line 4.

Also by inserting a period (.) after the word "quantities" in line 4, and striking the remainder of the section.

Amend by striking all of section 95.

Amend section 92 by inserting after the word "feed" in line 2 the words "or stock tonic"; also by striking the word "feed" at the end of line 3 and inserting in lieu thereof the word "products".

Amend section 101 by striking all after the word "present" in line 9 down to subsection 4 in line 22.

Also amend by inserting in line 24, subsection 4, after the word "clover" the words "of any variety".

Amend section 132 by inserting after the word "poison" in line 5 the words "and the most available antidote".

Amend section 141 by striking all of line 4 and inserting in lieu thereof the following: "the specifications adopted by the United States Department of Interior".

Amend section 215 by adding the following:

"5. If such person buy any commodity which is greater in weight or measure than that which is paid for by him and the weighing or measuring is done by the buyer."

On motion of Hattendorf of Osceola the House adjourned until 9:00 a. m. Thursday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 17, 1924.

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

Prayer was offered by Hon. G. E. Held, of Hinton, Iowa.

Journal of April 16th corrected and approved.

## LEAVE OF ABSENCE

On motion of Held of Plymouth, Lieberknecht of Louisa was excused for the remainder of the week.

On motion of Garber of Adair, Vincent of Guthrie was excused for the day.

## REPORTS OF COMMITTEE

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 281, a bill for an act to amend, revise, and codify section sixty-three hundred forty-one (6341) of the compiled code of Iowa, relating to future estates, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the bill do pass:

Amend by striking out of section 2, line 9, the word "January" and insert in lieu thereof the word "July".

C. F. CLARK, *Chairman.*

Report adopted.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 306, a bill for an act to legalize certain acts of the Waterville Independent consolidated school district of Allamakee county, Iowa, and of its officers and board of directors, in relation to the reimbursement of Ray C. Robey, a taxpayer of said district, of funds expended by him for the benefit of the district whereby he saved the school district

the sum of about six thousand eight hundred eighty dollars (\$6880.), beg leave to report they have had 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. F. CLARK, *Chairman.*

Report adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 8, 190 and 320.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 8, 190 and 320.

#### RESOLUTIONS CONSIDERED

The following resolution, offered April 16th, was taken up and considered:

*Whereas*, a resolution has been adopted by the House calling for investigation of the department of public instruction and May E. Francis, superintendent of public instruction; and

*Whereas*, The superintendent of public instruction, May E. Francis, in response to such resolution has formally requested that such investigation be made and has tendered her full cooperation and assistance therein; and

*Whereas*, It is necessary the committee be represented by counsel and a record of the said proceedings be had; therefore,

*Be It Resolved by the House of Representatives of the Fortieth General Assembly, in special session:* That the committee on judiciary of the House be and is hereby authorized to employ such counsel and stenographic assistance as it may deem necessary.

Clark of Linn offered the following amendment and moved its adoption:

Amend the resolution by adding thereto the following: "Such employment not to extend beyond April 25th, except by express authority of the House."

Amendment adopted.

On the question "Shall the resolution, as amended, be adopted?" a roll call was demanded.

The ayes were:

Blake	Gilmore	Lichty	Rust
Bradley	Grimwood	Long	Sampson
Carter	Hauge	Lovrien	Saunders
Clark	Healy	McClune	Schirmer
Colbert	Held	Moen	Scott of
Cole	Hempel	Natvig	Appanoose
Dewar	Henderson	O'Donnell	Smith of
Donhowe	Himebauch	Oliver	Chickasaw
Doolittle	Hollis	Powers	Stock
Edge	Johnson	Rankin	Williams
Elliott	Knutson	Rhinehart	Wilson
Forsling	Lake	Robson	Yenter
Gallagher	Letts	Rumley	Mr. Speaker—51
Garber of Adair			

The nays were:

Aiken	Criswell	Leonard	Peterson
Anderson of	Dooley	Mathews	Rassler
Webster	Dotts	Matthiesen	Schulte
Berry	Frahm	Miller	Scott of Fremont
Blume	Garber of Floyd	Napier	Smith of Lucas
Brady	Gibson	Noble	Stokesberry
Brittain	Harrison	Orr	Strippel
Buffington	Hattendorf	Parsons	Ulstad
Children	Huff	Patterson	Weber—35

Absent or not voting:

Diltz	Graham	Potts	Storey
Edson	Hansen	Quirk	Venard
Fackler	King	Ramsey	Vincent
Gesman	Lieberknecht	Rewoldt	Wamstad
Gilbert	Olson	Slemmons	Wolfe—22
Gilbertson	Ontjes		

The resolution, as amended, was adopted.

#### SENATE CONCURRENT RESOLUTION NO. 18 CONSIDERED

Senate Concurrent Resolution No. 18, found in the House Journal of April 16th, relative to the services of employees after adjournment, was taken up and considered.

Moen of Lyon moved that the House concur in the Senate concurrent resolution.

Motion prevailed.

Criswell of Boone asked unanimous consent to introduce a bill. Objections were made.

Criswell of Boone moved that the rule prohibiting the introduction of bills be suspended.

Motion lost.

Moen of Lyon moved that the House conferees on Senate File No. 7 be excused from the House for the remainder of the forenoon.

Motion prevailed.

#### CONSIDERATION OF BILLS

House File No. 324, a bill for an act to legalize the transfer of funds by the board of supervisors of Wapello county, Iowa, with report of committee recommending passage, was taken up for consideration.

Graham of Wapello moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Garber of Adair	Leonard	Sampson
Berry	Garber of Floyd	Letts	Schirmer
Blume	Gibson	Lichty	Scott of
Brady	Gilbert	Long	Appanoose
Brittain	Gilbertson	Lovrien	Scott of Fremont
Buffington	Gilmore	Mathews	Slemmons
Carter	Graham	Matthiesen	Smith of
Colbert	Grimwood	Napier	Chickasaw
Cole	Harrison	Natvig	Stock
Dooley	Hattendorf	O'Donnell	Stookesberry
Doolittle	Hempel	Parsons	Strippel
Dotts	Henderson	Peterson	Ulstad
Edge	Himebauch	Potts	Venard
Edson	Hollis	Quirk	Wamstad
Ellfott	Huff	Rassler	Weber
Forsling	Johnson	Rewoldt	Williams
Frahm	King	Robson	Wilson
Gallagher	Knutson	Rumley	Yenter
	Lake	Rust	Mr. Speaker—73

The nays were, none.

Absent or not voting:

Aiken	Fackler	Moen	Rankin
Blake	Gesman	Noble	Rhinehart
Bradley	Hansen	Oliver	Saunders
Children	Hauge	Olson	Schulte
Clark	Healy	Ontjes	Smith of Lucas
Criswell	Held	Orr	Storey
Dewar	Lieberknecht	Patterson	Vincent
Diltz	McClune	Powers	Wolfe—35
Donhowe	Miller	Ramsey	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 306, a bill for an act to legalize certain acts of the Waterville independent consolidated school district of Allamakee county, Iowa, and of its officers and board of directors, in relation to the reimbursement of Ray C. Robey, a taxpayer of said district, of funds expended by him for the benefit of the district whereby he saved the school district the sum of about six thousand eight hundred eighty dollars (\$6880), with report of committee recommending passage, was taken up for consideration.

Stock of Allamakee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Gallagher	Lovrien	Schulte
Anderson of	Gibson	Mathews	Scott of
Webster	Gilbert	Matthiesen	Appanoose
Berry	Gilbertson	Miller	Scott of Fremont
Blake	Gilmore	Napier	Slemmons
Blume	Graham	Natvig	Smith of
Brady	Harrison	O'Donnell	Chickasaw
Brittain	Hattendorf	Orr	Stock
Carter	Healy	Patterson	Stookesberry
Colbert	Held	Peterson	Strippel
Cole	Henderson	Potts	Ulstad
Dewar	Hollis	Quirk	Venard
Donhowe	Huff	Rassler	Weber
Dooley	King	Rewoldt	Williams
Dotts	Knutson	Robson	Wilson
Edge	Lake	Rumley	Wolfe
Edson	Leonard	Rust	Yenter
Forsling	Letts	Saunders	Mr. Speaker—72
Frahm	Lichty	Schrmer	

The nays were:

Clark	Grimwood	Parsons	Wamstad—5
Doolittle			

Absent or not voting:

Bradley	Garber of Floyd	Long	Ramsey
Buffington	Gesman	McClune	Rankin
Children	Hansen	Moen	Rhinehart
Criswell	Hauge	Noble	Sampson
Diltz	Hempel	Oliver	Smith of Lucas
Elliott	Himebauch	Olson	Storey
Fackler	Johnson	Ontjes	Vincent—31
Garber of Adair	Lieberknecht	Powers	

So the bill having received a constitutional majority was declared to have passed the House 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 President has appointed as members of a third conference committee on House File No. 213, relating to marriage, Senators Goodwin, Romkey, Banta and Adams.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 316, a bill for an act to legalize a certain school election in the independent school district of Indianola, Iowa.

Also, that the Senate has insisted upon all of its amendments to House File No. 185, a bill for an act relating to levees, ditches, drains, and water courses, and to drainage of highways and highway drainage districts, and requests a conference committee. The President has appointed as members of such committee on the part of the Senate, Senators Gilchrist, Buser, Adams, and Slosson.

Also, that the Senate has adopted the supplementary report of the conference committee, and concurred in the amendment proposed therein, on House File No. 65, a bill for an act relating to the department of agriculture and fruit-tree and forest reservations.

Also, that the Senate has adopted the report of the conference committee and concurred in the amendments proposed therein on Senate File No. 153, relating to municipal corporations.

LEON W. AINSWORTH, *Secretary.*

#### REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 153

MR. SPEAKER: Your conference committee on Senate File No. 153 beg leave to submit the following recommendations:

Amend the title by striking out all thereof and substituting the following:

"An act to amend, revise, and codify sections three thousand four hundred seventy-one (3471) to three thousand four hundred seventy-three (3473) inclusive and three thousand five hundred nineteen (3519), also three thousand four hundred seventy-nine (3479) to three thousand four hundred eighty-one (3481) inclusive, three thousand four hundred eighty-four (3484) and three thousand four hundred eighty-six (3486) to three thousand four hundred ninety-seven (3497) inclusive, and three thousand five hundred four (3504) of the compiled code of Iowa, relating to municipal corporations."

Amend the bill by striking out the three line preceding section 5-a1 and sections 5-a1 to 5-a4, inclusive, and insert the following:

"That section three thousand four hundred eighty-one (3481) of the

compiled code of Iowa is amended, revised, and codified to read as follows:"

Also amend the bill by striking out section 8 and the two lines preceding same and insert the following:

"That sections three thousand four hundred seventy-nine (3479), three thousand four hundred eighty (3480), three thousand four hundred eighty-four (3484) and three thousand four hundred eighty-six (3486) to three thousand four hundred ninety-six (3496) inclusive, of the compiled code of Iowa are amended, revised, and codified to read as follows:

Sec. 8. Platted territory adjoining any city or town may be annexed thereto and become a part thereof by proceeding as follows:

1. The council of the city or town desiring to annex adjoining territory may so provide by resolution, therein describing the territory proposed to be annexed and directing the mayor to institute therefor a suit in equity against the owners of such property.

2. The petition shall contain:

(a) A description of the entire property proposed to be annexed and of that portion thereof owned by each defendant.

(b) The facts constituting the desirability of such annexation.

(c) A plat of such territory showing its relation to the corporate limits.

3. If the court finds in favor of the annexation it shall enter a decree accordingly, and if not the petition shall be dismissed. No costs shall be taxed against any defendant who fails to make defense.

Sec. 8-a1. Annexation of territory not platted—procedure.

Territory, not platted, adjoining any city or town may be annexed thereto and become a part thereof by proceeding as follows:

1. The council may provide by resolution adopted at least one month before any regular election, for the annexation of territory described therein.

2. The proposition shall be submitted to the voters at said election in the following form:

"Shall the proposition to annex the territory described in the resolution adopted by the council of the city or town of ..... on the ..... day of ..... be approved?"

Notice of the submission of said proposition shall be given by publication in a newspaper of general circulation in said city or town once each week for four consecutive weeks preceding said election.

3. If the proposition is adopted by a majority of those voting thereon, the council shall cause to be filed in the district court a suit in equity against the owners of the property proposed to be annexed describing in the petition such property and attaching thereto a plat thereof showing its location in reference to the limits of such city or town.

4. Like proceedings shall be had as provided in section eight (8) hereof.

Sec. 8-a2. In case any territory adjoining any city or town has been platted into tracts of less than ten acres and has been substantially

built up and the inhabitants thereof are enabled to secure the benefits of the city or town government in the way of police and fire protection, or may be furnished with light and water by said city or town or under a franchise granted thereby the council of the city or town may by resolution incorporate such territory into the city or town.

Sec. 8-a3. Application for annexation.

All the owners of any territory adjoining any city or town may make application, in writing, to the council of such city or town, attaching thereto a plat of such territory showing the situation thereof with reference to the existing limits of such city or town, and if the council thereof, by resolution, assent thereto, such territory shall thereafter be and become a part of such city or town.

Sec. 8-a4. Ten per cent (10%) of the inhabitants of any platted territory adjoining any city or town may petition the council thereof to have such territory annexed thereto. The council may consent to such annexation or submit the matter to the voters of said city or town, and if the council consent or the proposition carries at the election the proceedings shall be the same as provided in section eight (8) hereof, except that the petitioners shall be plaintiffs and the city or town and all the owners of property in the territory, other than the petitioners, shall be defendants.

Sec. 8-a5. Severance of territory.

Territory may be severed from any city or town by proceeding as follows:

1. A majority of the resident property owners of such territory or the city or town may bring suit in equity in the district court therefor and the proceedings shall so far as applicable be the same as provided in section eight (8) hereof. Notice of suit shall be such as the court may direct.

2. If the court finds that such territory, or any part thereof, shall be severed from any city or town, it shall thereupon appoint three disinterested persons as commissioners to examine into the matter and the equitable distribution of the assets, and equitable distribution and assumption of the liabilities of such city or town which have accrued during the time such territory has been a part thereof, as between such city or town and the severed territory.

3. The commissioners shall receive evidence on the question from the parties interested and submit their findings to the court at the next term thereof and any interested party may file objections thereto and the court shall determine the matter by trial de novo and enter a decree in accordance with the very right of the matter.

Sec. 8-a6. Filing of records.

When any territory has been annexed to or severed from any city or town the clerk thereof shall make and certify a transcript of such part of the records of such city or town as shows the final action of the council and shall file the same for record in the office of the recorder of the county in which the city or town is located and also in the office of the secretary of state. And in like manner the clerk of the district court shall make and file a certified copy of the record of the final action of the court on

such proceedings and when such certified copies have been filed the annexation or severance, as the case may be, shall be complete and all persons shall be bound to take notice thereof."

L. B. FORSLING,  
W. R. BLAKE,  
S. L. GRAHAM,  
A. C. NOBLE,

*Conferees on part of House.*

W. S. BAIRD,  
C. J. FULTON,  
E. W. ROMKEY,  
B. J. HOBCEM,

*Conferees on part of Senate.*

The report of the conference committee on Senate File No. 153 was taken up and considered.

Forsling of Woodbury moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of	Gilbertson	O'Donnell	Scott of Fremont
Webster	Gilmore	Parsons	Slemmons
Berry	Graham	Peterson	Smith of
Blume	Grimwood	Quirk	Chickasaw
Brady	Healy	Rankin	Stock
Brittain	Henderson	Rassler	Stookesberry
Buffington	Himebauch	Rewoldt	Strippel
Colbert	Hollis	Rhinehart	Venard
Criswell	Johnson	Robson	Wamstad
Dewar	King	Rumley	Weber
Dooley	Knutson	Rust	Williams
Dotts	Letts	Sampson	Wilson
Edge	Long	Saunders	Wolfe
Forsling	Mathews	Schulte	Yenter
Gallagher	Matthiesen	Scott of	Mr. Speaker—62
Garber of Adair	Napier	Appanoose	
Garber of Floyd	Noble		

The nays were, none.

Absent or not voting:

Aiken	Clark	Edson	Gibson
Blake	Cole	Elliott	Gilbert
Bradley	Diltz	Fackler	Hansen
Carter	Donhowe	Frahm	Harrison
Children	Doolittle	Gesman	Hattendorf

Hauge	Lieberknecht	Olson	Schirmer
Held	Lovrien	Ontjes	Smith of Lucas
Hempel	McClune	Orr	Storey
Huff	Miller	Patterson	Ulstad
Lake	Moen	Potts	Vincent—46
Leonard	Natvig	Powers	
Lichty	Oliver	Ramsey	

The report of the conference committee on Senate File No. 153 and the amendments proposed by said conference committee were adopted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

As a conference committee on House File No. 185, the Speaker appointed the following members on the part of the House: Parsons of Calhoun, Edson of Buena Vista, Wamstad of Mitchell and Patterson of Kossuth.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that, he had on April 16th, approved the following bills: House Files No. 158, 69, 54-A, 230 and 319.

On motion of Rewoldt of Bremer the House adjourned until 3:30 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### 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. 183, relating to taxation.

Also, that the Senate insists on its amendments to House File No. 84, relating to charitable, correctional, and penal institutions and requests a conference committee. The President has appointed as members of such committee on the part of the Senate, Senators Perkins, Brookins, Brookhart and Bowman.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 323, a bill for an act to legalize the voting of bonds for the extension of the water works system in Ames, Iowa, and to legalize the issuance of such bonds.

Also, 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 relating to electric and other wires crossing railroad tracks, and to electric transmission lines and franchises.

Also, 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 to make an emergency appropriation for the department of agriculture.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 323, a bill for an act authorizing the issuance of a patent to certain lands in Jasper county, Iowa.

Also, that the Senate has passed the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution No. 2, a joint resolution providing for a committee to investigate and make recommendations to the Forty-first General Assembly, relating to insurance.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 308, a bill for an act to legalize the acts and proceedings of officers of Wapello county, Iowa, relative to Cedar Creek drainage district.

LEON W. AINSWORTH, *Secretary.*

#### SENATE AMENDMENTS TO HOUSE FILE NO. 308

Amend by striking out the title and the preamble and inserting in lieu thereof the following:

"An act to legalize the acts and proceedings in relation to Cedar Creek Drainage District Number Four (4), Wapello county, Iowa.

*Whereas*, pursuant to proper petition of land owners, the recommendation of a competent engineer, and due and timely notice of the hearing on the establishment of Cedar Creek Drainage District Number Four (4) of Wapello county, Iowa, and upon a full and complete hearing duly granted to the owner of each tract of land within said drainage district and to all lien holders or incumbrancers of any land located therein, the board of supervisors of said county, did, by resolution duly passed and entered upon the records of said board, grant the prayer of said petition for the establishment of said drainage district and declare the same to be duly established and located according to the recommendations of said engineer, but prior, nevertheless, to the final determination of said board as to the amount of damages to be awarded for or on account of the construction of the drainage improvements; and

*Whereas*, after the establishment of said district and before the completion of the drainage improvements therein, said board of supervisors did, upon recommendation of said engineer, authorize sundry changes in said improvements involving the taking of additional lands and the

increase of the assessments to be levied in said district, and did thereafter cause due and timely notice of such changes to be given in the manner prescribed by law, and did grant a full and complete hearing thereon and afford due opportunity to file claims for damages or to file objections to such assessments and did likewise grant due opportunity to appeal from the action of said board; and

*Whereas*, doubts have arisen as to the legal sufficiency of the proceedings of said board by reason of its failure to determine the amount of damages to be awarded for or on account of the construction of said drainage improvements prior to the passage of the resolution establishing said district and by reason of the failure of said board to cause notice of the changes in said improvements to have been first published as prescribed by law; and

*Whereas*, it is deemed advisable to put said doubts and all other doubts regarding the legality of said proceedings and acts forever at rest; now therefore".

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That all proceedings and acts of the board of supervisors and other officers of the county of Wapello, in the state of Iowa, in relation to Cedar Creek drainage district Number Four (4) within said county be and the same are hereby legalized in all respects as if all of the provisions of the laws of the state of Iowa with regard to such proceedings had been fully and strictly complied with.

Section 2. Nothing in this act shall in any manner affect pending litigation.

Section 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Capital, a newspaper published at Des Moines, Iowa, and the Ottumwa Daily Courier, published at Ottumwa, Iowa, all without expense to the state.

#### SENATE MESSAGES CONSIDERED

Senate File No. 323, a bill for an act authorizing the issuance of a patent to certain lands in Jasper county, Iowa.

Read first and second times and referred to committee on judiciary.

Senate File No. 191, a bill for an act to amend, revise, and codify sections thirty hundred thirty-nine (3039), fifty hundred twenty-seven (5027) to fifty hundred thirty-three (5033), inclusive, and fifty hundred thirty-seven (5037) to fifty hundred forty-three (5043), inclusive, of the compiled code of Iowa, and section thirty hundred thirty-eight (3038) of the supplement to said code, relating to electric and other wires crossing railroad tracks and to electric transmission lines and franchises.

Read first and second times and referred to committee on public utilities.

Senate File No. 324, a bill for an act to make an emergency appropriation for the department of agriculture.

Read first and second times and referred to committee on appropriations.

Senate Joint Resolution No. 2, joint resolution providing for a committee to investigate and make recommendations to the Forty-first General Assembly, relating to insurance.

Read first and second times and referred to committee on insurance.

#### APPOINTMENT OF CONFERENCE COMMITTEE

As a conference committee on House File No. 84, the Speaker appointed the following members on the part of the House: Lake of Woodbury, Grimwood of Jones, Wolfe of Linn and Potts of Lee.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Children of Pottawattamie, House File No. 261, a bill for an act to amend, revise, and codify chapters four (4), nine (9), ten (10), eleven (11), and fourteen (14) of title seven (7), and sections nine hundred (900) to nine hundred two (902), inclusive, nine hundred four (904) to nine hundred six (906), inclusive, nine hundred eight (908) to nine hundred thirteen (913), inclusive, fourteen hundred forty-four (1444), fourteen hundred forty-six (1446) to fourteen hundred fifty-one (1451), inclusive, fourteen hundred fifty-three (1453) to fourteen hundred sixty-eight (1468), inclusive, fourteen hundred seventy (1470), fourteen hundred seventy-one (1471), fourteen hundred seventy-three (1473) to fourteen hundred seventy-seven (1477), inclusive, fourteen hundred seventy-nine (1479), fourteen hundred eighty (1480), fifteen hundred thirty-three (1533) to fifteen hundred thirty-five (1535), inclusive, fifteen hundred sixty-eight (1568) to fifteen hundred seventy-one (1571), inclusive, fifteen hundre

seventy-three (1573) to fifteen hundred eighty-five (1585), inclusive, fifteen hundred eighty-seven (1587) to fifteen hundred ninety-one (1591), inclusive, fifteen hundred ninety-three (1593) to sixteen hundred six (1606), inclusive, of the compiled code of Iowa; chapters seven (7) and twelve (12) of title seven (7) of the compiled code and of the supplement to said code; chapter twenty-four (24) of title five (5), fourteen hundred forty-five (1445), fourteen hundred forty-five-a one (1445-a1) to fourteen hundred forty-five-a three (1445-a3), inclusive, fourteen hundred seventy-eight (1478), fifteen hundred thirty-two-a one (1532-a1) to fifteen hundred thirty-two-a fourteen (1532-a14), inclusive, fifteen hundred thirty-two-a sixteen (1532-a16), fifteen hundred seventy-two (1572), and fifteen hundred eighty-six (1586) of the supplement to the compiled code of Iowa, relating to regulation and inspection of foods and other articles, with Senate amendments, found in the House Journal of April 16th, was taken up and the amendments read and considered.

Wolfe of Linn moved that the House concur in the Senate amendment inserting section 27-a1 and in the Senate amendments to sections 20, 21, 22, 42, 49, 67, 85, 90, 91, 92 and in the Senate amendments to line 4 of section 93.

On the question "Shall the House concur?"

The ayes were:

Aiken	Garber of Adair	Matthiesen	Sampson
Anderson of	Garber of Floyd	Miller	Saunders
Webster	Gibson	Moen	Schirmer
Berry	Grimwood	Napier	Scott of
Blake	Hansen	Natvig	Appanoose
Blume	Hattendorf	Noble	Scott of Fremont
Brady	Healy	O'Donuell	Slemmons
Brittain	Held	Olson	Smith of Lucas
Buffington	Hempel	Patterson	Stock
Carter	Henderson	Peterson	Stookesberry
Children	Hollis	Quirk	Storey
Colbert	Huff	Rankin	Venard
Criswell	King	Rassler	Weber
Doolittle	Lake	Rewoldt	Wilson
Dotts	Lichty	Rhinehart	Wolfe
Edge	Long	Robson	Yenter
Forsling	Lovrien	Rumley	Mr. Speaker—69
Gallagher	Mathews	Rust	

The nays were:

Frahm—1

Absent or not voting:

Bradley	Gesman	Leonard	<b>Ramsey</b>
Clark	Gilbert	Letts	Schulte
Cole	Gilbertson	Lieberknecht	Smith of
Dewar	Gilmore	McClune	Chickasaw
Diltz	Graham	Oliver	Strippel
Donhowe	Harrison	Ontjes	Ulstad
Dooley	Hauge	Orr	Vincent
Edson	Himebauch	Parsons	Wamstad
Elliott	Johnson	Potts	Williams—38
Fackler	Knutson	Powers	

The House concurred in the Senate amendments inserting section 27-a1, and in the Senate amendments to sections 20, 21, 22, 42, 49, 67, 85, 90, 91, 92, and in the Senate amendments to line 4 of section 93 of House File No. 261.

Mr. Wolfe moved that the House refuse to concur in the Senate amendments inserting sections 49-a1 and 90-a1 and in the Senate amendments to sections 87, 95, 92, 101, 132, 141, 215 and line 1 of section 93.

On the question "Shall the House concur?"

The ayes were, none.

The nays were:

Aiken	Gallagher	Matthiesen	Rust
Anderson of	Garber of Floyd	Miller	Sampson
Webster	Gibson	Moen	Saunders
Berry	Hansen	Napier	Schirmer
Blume	Hattendorf	Natvig	Scott of
Bradley	Healy	Noble	Appanoose
Brady	Hempel	O'Donnell	Scott of Fremont
Brittain	Held	Oliver	Slemmons
Buffington	Henderson	Olson	Smith of Lucas
Carter	Hollis	Orr	Stock
Children	Huff	Patterson	Stookesberry
Colbert	Johnson	Peterson	Storey
Criswell	King	Quirk	Venard
Dewar	Lake	Rassler	Weber
Doolittle	Lichty	Rewoldt	Wilson
Dotts	Long	Rhinehart	Wolfe
Edge	Lovrien	Robson	Yenter
Forsling	McClune	Rumley	Mr. Speaker—72
Frahm	Mathews		

## Absent or not voting:

Blake	Gesman	Knutson	Rankin
Clark	Gilbert	Leonard	Schulte
Cole	Gilbertson	Letts	Smith of
Diltz	Gilmore	Lieberknecht	Chickasaw
Donhowe	Graham	Ontjes	Strippel
Dooley	Grimwood	Parsons	Ulstad
Edson	Harrison	Potts	Vincent
Elliott	Hauge	Powers	Wamstad
Fackler	Himebauch	Ramsey	Williams—36
Garber of Adair			

The House refused to concur in the Senate amendments inserting sections 49-a1 and 90-a1 and in the Senate amendments to sections 87, 95, 92, 101, 132, 141, 215, and line 1 of section 93 of House File No. 261.

## SECOND CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 34

Rassler of Pocahontas, from the second conference committee on House File No. 34, submitted the following report:

MR. SPEAKER: Your conference committee appointed for the consideration of the differences between the Senate and House on House File No. 34, a bill for an act to amend, revise and codify chapter twenty-one (21) of title four (4) of the compiled code of Iowa and of the supplement to said code relating to removal from office, beg leave to report that we have had these differences under consideration and submit the following report:

- (1) That the Senate recede from its amendment to section one (1).

A. G. RASSLER,  
HOWARD A. MATHEWS,  
C. H. SCOTT,  
JOHN H. AIKEN.

*Conferees on part of House.*

LLOYD THURSTON,  
H. C. WHITE,  
S. C. REES,  
J. E. WICHMAN,

*Conferees on part of Senate.*

Rassler of Pocahontas moved the adoption of the second conference committee report and the amendment proposed by said conference committee.

On the question "Shall the report of the second conference committee on House File No. 34 and the amendment proposed by said conference committee be adopted?"

The ayes were:

Aiken	Garber of Adair	McClune	Rumley
Anderson of Webster	Garber of Floyd	Mathews	Rust
Blake	Gibson	Matthiesen	Sampson
Blume	Grimwood	Miller	Saunders
Brady	Hansen	Moen	Scott of Appanoose
Brittain	Hattendorf	Napier	Scott of Fremont
Buffington	Healy	Natvig	Slemmons
Carter	Held	Noble	Smith of Lucas
Children	Hempel	O'Donnell	Stock
Colbert	Henderson	Oliver	Stookesberry
Griswell	Himebauch	Olson	Storey
Dewar	Hollis	Orr	Venard
Doolittle	Huff	Patterson	Weber
Dotts	Johnson	Peterson	Wilson
Edge	King	Quirk	Wolfe
Forsling	Lake	Rankin	Yenter
Frahm	Lichty	Rassler	Mr. Speaker—73
Gallagher	Long	Rhinehart	
	Lovrien	Robson	

The nays were, none.

Absent or not voting:

Berry	Fackler	Leonard	Schirmer
Bradley	Gesman	Letts	Schulte
Clark	Gilbert	Lieberknecht	Smith of Chickasaw
Cole	Gilbertson	Ontjes	Strippel
Diltz	Gilmore	Parsons	U'lstad
Donhowe	Graham	Potts	Vincent
Dooley	Harrison	Powers	Wamstad
Edson	Hauge	Ramsey	Williams—35
Ellfott	Knutson	Rewoldt	

The second conference committee report on House File No. 34 and the amendment proposed by said conference committee were adopted.

#### CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 7

Moen of Lyon, from the conference committee on Senate File No. 7, submitted the following report:

MR. SPEAKER: We, your conference committee on Senate File No. 7, together with Senate and House amendments thereto, beg leave to report that we have had the same under consideration and recommend that the attached bill be substituted in lieu thereof.

ED. M. SMITH,  
RAY P. SCOTT,  
GEORGE S. BANTA,  
J. O. SHAFF,

*Senate Conferees.*

T. E. MOEN,  
A. O. HAUGE,  
JNO. A. STOREY,  
W. C. CHILDREN.

*House Conferees.*

A bill for an act creating the office of director of the budget, defining his powers, prescribing his duties, and providing for a state budget and examination of the accounts of the department of the state and review of public contracts and bond issues in certain cases, and for local budgets, and prescribing the methods for the appointment of the director of the budget and members of an appeal board in certain cases, defining their powers and duties and making an appropriation therefor, also amending, revising and codifying section ninety-four (94) of the compiled code of Iowa, relating to certain duties of the governor, section two hundred seventy-two (272) of the compiled code of Iowa, relating to settlements with state officers, also sections two hundred seventy-three (273), two hundred ninety-eight (298), three hundred thirty-eight (338), eight hundred seventy-two (872), twenty-three hundred seventeen (2317), twenty-three hundred fifty-one (2351), twenty-four hundred twenty-one (2421), twenty-six hundred eighteen (2618), twenty-seven hundred seventy-six (2776) to twenty-seven hundred eighty-one (2781), inclusive, twenty-nine hundred forty-eight (2948), sixty-four hundred seventy-three (6473), sixty-four hundred seventy-six (6476), ninety hundred fifty-six (9056) and ninety hundred fifty-seven (9057) of the compiled code of Iowa and sections thirty-nine-a six (39-a6), one hundred seventy-five-a sixteen (175-a16), two hundred forty-one-a thirty-two (241-a32), three hundred thirty-six (336), three hundred thirty-six-a one (336-a1), eleven hundred eighty-six (1186), twenty-three hundred forty-six-a one (2346-a1), twenty-three hundred seventy-four-a six (2374-a6), twenty-three hundred ninety-six-a one (2396-a1), twenty-four hundred thirty (2430), twenty-four hundred thirty-two-a one (2432-a1), twenty-four hundred forty-a one (2440-a1), twenty-five hundred one-a one (2501-a1), twenty-seven hundred seventy-five (2775), twenty-seven hundred eighty-one-a one (2781-a1), twenty-seven hundred eighty-one-a two (2781-a2), twenty-eight hundred sixty-four-a seven (2864-a7), thirty hundred eighty-one-a thirteen (3081-a13), fifty hundred forty-four-a one (5044-a1) and fifty-four hundred thirty-nine-a one (5439-a1) of the supplement to said code, and sections five (5) and six (6) of House File No. ten (10) of the acts of the extra session of the Fortieth General Assembly, relating to the powers and duties of certain officers, boards and commissions, and to the State Historical Society and to various existing appropriations.

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

That sections ninety-four (94), two hundred seventy-two (272), two hundred seventy-three (273), and two hundred ninety-eight (298) of the compiled code of Iowa are amended, revised, and codified to read as follows:

## CHAPTER 1.

### DIRECTOR OF THE BUDGET.

#### Section 1. Director of the budget.

There is hereby created the office of director of the budget, which office shall be located at the seat of government.

#### Sec. 2. Appointment.

The governor shall, within sixty (60) days after the convening of the general assembly in nineteen hundred twenty-seven (1927) and every six (6) years thereafter, appoint, with the approval of two-thirds ( $\frac{2}{3}$ ) of the members of the senate, a director of the budget, and wherever the word "director" appears in this act it shall mean "director of the budget."

#### Sec. 3. Confirmation.

No nomination shall be considered by the senate until the same has been referred to a committee of five (5), not more than (3) of whom shall belong to the same political party. Said committee shall be appointed by the president of the senate, without motion, and shall report to the senate in executive session. Such report shall be made at any time when called for by the senate. The consideration of nominations by the senate shall not be had on the same legislative day that nominations are so referred.

#### Sec. 4. Qualification and bond.

Said director shall qualify as other public officers and shall give a bond in the sum of ten thousand dollars (\$10,000), which bond shall be approved by the governor and be filed in the office of the secretary of state.

#### Sec. 5. Term of office.

The term of office of the director shall be for a period of six (6) years, beginning July first, nineteen hundred twenty-seven (1927), and his successors shall be appointed for like periods.

#### Sec. 6. Removal.

The governor, with the approval of a majority of the senate during a session of the general assembly, may remove the director for malfeasance in office, or for any cause which would render him ineligible for appointment or incapable or unfit to discharge the duties of his office, and his removal, when so made, shall be final.

#### Sec. 7. Suspension.

When the general assembly is not in session, the governor may suspend any director so disqualified and shall appoint another to fill the vacancy thus created, subject to the approval of the senate when next in session.

**Sec. 8. Vacancies.**

All vacancies in the office of director that may occur while the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty (30) days from the date on which the general assembly next convenes in regular session. Prior to the expiration of said thirty (30) days the governor shall transmit to the senate for its approval an appointment for the unexpired portion of the regular term. Vacancies occurring during a session of the general assembly shall be filled before the end of said session and for the unexpired portion of the regular term, in the same manner in which regular appointments are required to be made.

**Sec. 9. Temporary appointment.**

After the taking effect of this act and on or before July first, nineteen hundred twenty-four (1924), the governor shall nominate and, with the approval of two-thirds ( $2/3$ ) of the members of the senate, appoint a director, who shall serve until July first, nineteen hundred twenty-seven (1927). The procedure shall be the same as required in section three (3) hereof and any vacancy occurring in the appointment provided for in this section shall be filled as provided in section eight (8) hereof.

**Sec. 10. Temporary salaries.**

The executive council shall fix the salary of the director and such assistants as may be necessary from time to time, for the period ending June thirtieth, nineteen hundred twenty-five (1925).

**Sec. 11. Employees.**

The director, with the approval of the executive council, shall employ a state accountant and such assistants and other employees and agents as may be necessary from time to time to carry into effect the provisions of this act. Such state accountant, assistants, employees and agents shall be under the direction of the director and shall be subject to dismissal by him.

**Sec. 12. Expenses.**

The director, state accountant, and all assistants, employees and agents shall be allowed their actual and necessary traveling expenses while in the performance of their duties.

**Sec. 13. General powers.**

The director shall have power, and it is hereby made his duty, to carry out and enforce all the provisions of this act, and to conduct hearings on all matters within his jurisdiction and render decisions thereon; he shall adopt rules governing appeals, hearings, and all determinations of questions which shall come before him, and such other rules as he may deem necessary.

**Sec. 14. Additional powers of the director.**

The director shall have power to cause any of the hearings provided for in this act to be held by the state accountant or by any special agent appointed by him for that purpose.

**Sec. 15. Power to compel production of evidence.**

The director, the state accountant, or any other person appointed by the director to conduct any examination or hearing, shall have power to subpoena witnesses, administer oaths to them, and compel witnesses to produce books, letters, documents, papers, statistics and all other articles deemed essential to a full understanding of the matter under investigation.

**Sec. 16. Refusal to obey subpoena.**

Any witness failing to obey such subpoena shall be guilty of contempt and on report of such failure to the district court of the county in which such refusal occurs, such witness shall be punished for contempt by fine not exceeding one hundred dollars (\$100.00).

**Sec. 17. Immunity of witness from prosecution.**

No witness shall be exempt from testifying to any matter in any proceeding under the provisions of this act or from producing any books, papers, letters, or other documents or articles on the ground that the same would tend to render him criminally liable or to expose him to public ignominy, but such witness shall not be prosecuted for any crime which such testimony or evidence tends to prove or to which the same relates. This section shall not exempt any person from prosecution for perjury.

**Sec. 18. Hearings.**

When a hearing is held by the director, the state accountant, or a special agent, he shall file in the office of the director the petition and other documents and a written report of the facts submitted at such hearing and his recommendations in respect thereto. The director shall promptly determine all matters submitted to him directly, or on reports of persons conducting hearings. The decisions of the director shall be final.

**CHAPTER 2.****STATE BUDGET.****Sec. 19. Reports to director of the budget by departments.**

On or before the first day of September, nineteen hundred twenty-four (1924), and on or before the first day of August biennially thereafter, every department of the state, except the legislative department, shall furnish the director with:

1. A detailed estimate of all receipts of such department for the ensuing biennium and a comparison of such receipts with all the receipts of such department for the last two preceding bienniums.

2. An estimate of the needs of such department for the ensuing biennium, together with a comparison of all the expenditures of such department for the last two preceding bienniums.

3. Any other information that the director may require.

Each department shall set out in detail the reasons for the askings contained in such reports.

**Sec. 20. Blanks.**

Blanks for such reports shall be furnished by the director not later than the first day of August, nineteen hundred twenty-four (1924), and not later than the first day of June of each even-numbered year thereafter.

**Sec. 21. Examinations and investigations.**

The director shall have authority to make, or cause to be made, such examinations and investigations into the operation of any department as in his discretion may be necessary.

**Sec. 22. Assistance of departments.**

Every department of the state government, when requested by the director, shall render assistance to him in connection with the preparation of the budget report, budget bill and auditing accounts.

**Sec. 23. Hearings on reports of departments.**

After the filing of said reports, the director shall hold public hearings at which the heads of departments, the heads of all institutions under the state board of education and state board of control, and all taxpayers or associations of taxpayers desiring to be heard, may be heard in relation to the matters referred to in said reports. A schedule of the time and place of hearings and due public notice thereof shall be given by the director.

**Sec. 24. Duties of the director—budget report.**

The director shall prepare and file in his office, on or before the first day of November of each even-numbered year, a state budget report, which shall show in detail the following:

1. Classified estimates in detail of the expenditures necessary, in his judgment, for the support of each department and each institution and department thereof for the ensuing biennium.
2. A schedule showing a comparison of such estimates with the askings of the several departments for the current biennium and with the expenditures of like character for the last two preceding bienniums.
3. A statement setting forth in detail his reasons for any recommended increases or decreases in the estimated requirements of the various departments, institutions and departments thereof.
4. Estimates of all receipts of the state other than from direct taxation and the sources thereof for the ensuing biennium.
5. A comparison of such estimates and askings with receipts of a like character for the last two preceding bienniums.
6. The expenditures and receipts of the state for the last completed fiscal year and estimates of the expenditures and receipts of the state for the current fiscal year.
7. A detailed statement of all appropriations made during the two preceding bienniums, also of unexpended balances of appropriations at the end of the last fiscal year and estimated balances at the end of the current fiscal year.

8. Estimates in detail of the appropriations necessary to meet the requirements of the several departments and institutions for the next biennium.

9. Statements showing

- (a) The condition of the treasury at the end of the last fiscal year.
- (b) The estimated condition of the treasury at the end of the current fiscal year.
- (c) The estimated condition of the treasury at the end of the next biennium, if his recommendations are adopted.
- (d) An estimate of the taxable value of all the property within the state.
- (e) The estimated aggregate amount necessary to be raised by a state levy.
- (f) The millage necessary to produce such amount.
- (g) Such other data or information as the director may deem advisable.

Sec. 25. Appropriation bill.

The director shall not later than the first day of December, nineteen hundred twenty-four (1924), and on the same date biennially thereafter, prepare a state appropriation bill and transmit the same to the governor, together with the state budget report and such other explanatory matter as in his judgment will be of value to him in making his recommendations to the general assembly, and to the general assembly on the consideration of said bill.

Sec. 26. Governor to transmit bill.

The governor shall, at the time of delivering his biennial message, transmit to the senate and house of the general assembly, the state appropriation bill prepared by the director.

Sec. 27. Data accompanying bill.

The governor shall transmit with the bill the following:

1. A statement of the taxable value of all the property of the state.
2. The amount, in dollars, necessary to be raised by a tax levy if the bill be enacted.
3. The estimated levy in mills necessary should the proposed appropriations be made.
4. All information, comparisons, evidence and documents placed before him by the director, together with the reasons for decreases or increases in the recommendations of the said director.

Sec. 28. Explanation accompanying bill.

Accompanying such bill shall be a report of the governor, setting out in detail the changes suggested by him in any of the recommendations submitted by the director.

Sec. 29. Status of bill.

Said appropriation bill, when so transmitted, together with all data accompanying the same, shall be referred to the committees on appropriations in the senate and the house, respectively.

Sec. 30. Departments must submit askings.

No estimate or request for an appropriation and no request for an increase in an item of any such estimate or request, and no recommendation as to how the revenue needs of the state should be met, shall be submitted to the senate or house or any committee thereof by any officer or employee of any department, except the governor, unless at the request of either house of the general assembly or of any standing committee in either house.

CHAPTER 3.

EXAMINATION OF AND SETTLEMENTS WITH DEPARTMENTS.

Sec. 31. Annual settlements with departments.

The director shall annually, and oftener if deemed necessary, make a full settlement between the state and all state officers and departments and all persons receiving or expending state funds, and shall annually make a complete audit of the books and accounts of every department of the state.

Sec. 32. Duties of state accountant.

The state accountant shall, under the direction of the director, supervise and be responsible for the auditing of the books and accounts of all departments of the state.

Sec. 33. Report of audits.

The state accountant shall, in writing, make a report of all audits and examinations so made, to the director and in detail set out the following:

1. The actual condition of such department found to exist on every examination.

2. Whether, in his opinion,

(a) All funds have been expended for the purpose for which appropriated.

(b) The department so audited and examined is efficiently conducted, and if the maximum results for the money expended are obtained.

(c) The work of the department so audited or examined needlessly conflicts with or duplicates the work done by any other department.

3. All illegal or unbusinesslike practices.

4. Any recommendations for greater simplicity, accuracy, efficiency, or economy in the operation of the business of the several departments and institutions.

5. Comparisons of prices paid and terms obtained by the various departments for goods and services of like character and reasons for differences therein, if any.

6. Any other information which, in his judgment, may be of value to the director.

All such reports shall be filed and kept in the office of the director.

Sec. 34. Method of accounting.

Each department and institution of the state shall keep its records and accounts in such form and by such methods as to be able to exhibit in its reports the matters required by the director, unless otherwise specifically prescribed by law. The failure of the head of any department of the state to comply with this provision shall be ground for his suspension from office.

Sec. 35. Certain powers reserved.

Except as herein otherwise specifically provided, nothing in this act shall interfere with the authority of the state board of education, the state fair board, or the state board of control, over, nor with their policies in respect to, the management of the institutions under their control.

Sec. 36. Transfer of appropriations denied.

No appropriation nor any part thereof shall be used for any other purpose than that for which it was made without specific authority of the general assembly.

Sec. 37. Definition.

The term "department" shall be construed to mean any authority charged by law with official responsibility for the expenditure of public money of the state and any agency receiving money from the general revenues of the state.

#### CHAPTER 3-A:

#### APPEAL BOARD TO ACT IN CERTAIN CASES.

Sec. 38.

There shall be nominated by the governor and appointed in the manner required for the appointment of the director, two competent persons to act with the director as members of an appeal board in certain cases. Their terms of office shall be for four years, beginning on the first day of July, nineteen hundred twenty-seven (1927), at which time one shall be appointed for two years and one for four years and thereafter all appointments except to fill vacancies shall be for a term of four years.

Sec. 39.

Such members of the appeal board shall qualify in the same manner as the director except that the bond of each shall be five thousand dollars (\$5,000).

Sec. 40.

After the taking effect of this act and before July first, nineteen hundred twenty-four (1924), the governor shall in like manner appoint two persons as members of the appeal board, who shall hold office until July first, nineteen hundred twenty-seven (1927) and until their successors shall be appointed and qualified.

Sec. 41.

Vacancies in both the temporary and permanent appointments of such members of the appeal board shall be filled and the removal from office shall be accomplished in the same manner as provided for the director.

## Sec. 42.

The said members of the appeal board and the director shall sit and act together as a board of appeal and the director shall be chairman of the board. Said board shall only consider and determine appeals from the action of the state board of education, the state board of control or the state fair board in respect to the letting of contracts for buildings or other improvements in which the amount involved is in excess of twenty-five thousand dollars (\$25,000). The hearings before the board shall be de novo and the evidence shall be preserved on file. The decision of the board shall be final and be entered of record in the office of the director.

## Sec. 43.

The members of the appeal board, other than the director, shall be paid on a per diem basis and the amount of their compensation shall be fixed by the executive council. They shall be entitled to their actual and necessary expenses while engaged in the performance of their duties, to be allowed and paid in the same manner as those of the director.

## CHAPTER 4.

## PUBLIC CONTRACTS AND BONDS.

## Sec. 44. Definition of terms.

The words "public improvement" as used in this chapter shall mean any building or other construction work to be paid for in whole or in part by the use of funds of any municipality.

The word "municipality" as used in this chapter shall mean county, except in the exercise of its power to make contracts for primary road improvements, city, including those acting under special charter, town, township, school district, state fair board, state board of education, and state board of control.

## Sec. 45. Notice of hearing on public contracts.

Before any municipality shall enter into any contract for any public improvement to cost five thousand dollars (\$5,000.00) or more, the governing body proposing to make such contract shall adopt proposed plans and specifications and proposed form of contract therefor, fix a time and place for hearing thereon at such municipality affected thereby or other nearby convenient place, and give notice thereof by publication in at least one newspaper of general circulation in such municipality at least ten (10) days before said hearing.

## Sec. 46. Objections filed—hearing—decision.

At such hearing, any person interested may appear and file objections to the proposed plans, specifications or contract for, or cost of such improvement. The governing body of the municipality proposing to enter into such contract shall hear said objections and any evidence for or against the same, and enter of record its decision thereon.

## Sec. 47. Appeal—limitation.

As hereinafter provided, interested objectors may appeal from such

decision to the director by serving notice thereof on the clerk or secretary of such municipality within ten (10) days after such decision is entered of record, provided that

1. For all school districts, except independent school districts in cities and towns and consolidated school districts, and for towns and townships, the amount involved for the whole improvement is five thousand dollars (\$5,000.00) or more.

2. For counties, cities of the second class and for consolidated school districts and for independent school districts in whole or in part in cities of the second class, ten thousand dollars (\$10,000.00) or more.

3. For cities of the first class, including cities under special charter, and for school districts in whole or in part in cities of the first class and in cities under special charter, for state institutions and state fair board, twenty-five thousand dollars (\$25,000.00) or more.

4. The number of objectors required to perfect an appeal shall be as follows:

Under subsection 1—ten (10).

Under subsection 2—twenty-five (25).

Under subsection 3—fifty (50).

Sec. 48. Information certified to director.

In case an appeal is taken, such body shall forthwith certify and submit to the director for examination and review the following:

1. A copy of the plans and specifications for such improvement.
2. A copy of the proposed contract.
3. An estimate of the cost of such improvement.
4. A report of the kind and amount of security proposed to be given for the faithful performance of the contract and the cost of such security.
5. A copy of the objections, if any, which have been urged by any taxpayer against the proposed plans, specifications or contract, or the cost of such improvement.
6. A separate estimate of the architect's or engineer's fees and cost of supervision.
7. A statement of the taxable value of the property within the municipality proposing to make such improvement.
8. A statement of the several rates of levy of taxes in such municipality for each fund.
9. A detailed statement of the bonded and other indebtedness of such municipality.
10. In case of state institutions and state fair board, the last three requirements may be omitted.

Sec. 49. Notice of hearing on appeal.

The director shall forthwith fix a time and place in the municipality or nearby convenient place for hearing said appeal, and notice of such hearing shall be given by registered mail to the executive officer of the municipality, and to the first five (5) persons whose names appear upon

the notice of appeal, at least ten (10) days before the date fixed for such hearing. The hearing on contracts for the state institutions and state fair board shall be at the seat of government.

**Sec. 50. Hearing and decision.**

At such hearing, the appellants and any other interested person may appear and be heard. The director shall examine, with the aid of competent assistants, the entire record, and if the director shall find that the plans and specifications and form of contract are suitable for the improvement proposed and that it is for the best interests of the municipality and that such improvements can be made within the estimates therefor, the director shall approve the same. Otherwise the director shall recommend such modifications of the plans, specifications, or contract, as in his judgment shall be for the public benefit, and if such modifications are so made, the director shall approve the same. The director shall certify his decision to the body proposing to enter into such contract, whereupon the municipality shall advertise for bids and let the contract subject to the approval of the director who shall at once render his final decision thereon and transmit the same to the municipality.

**Sec. 50-a1. Enforcement of performance of contract.**

After any contract for any public improvement has been completed and any five persons interested request it, the director shall examine into the matter as to whether or not the contract has been performed in accordance with its terms, and if on such investigation the director finds that said contract has not been so performed, and so reports to the body letting such contract, it shall at once institute proceedings on the contractor's bond for the purpose of compelling compliance with the contract in all of its provisions.

**Sec. 51. Contracts entered into without approval of director void.**

If an appeal is taken, no contract for public improvements shall be valid unless the same is finally approved by the director. In no case shall any municipality expend for any public improvement any sum in excess of five per cent (5%) more than the contract price without the approval of the director.

**Sec. 52. Appeal board to act in certain cases.**

If the appeal is from the action of the state board of education, state board of control, or state fair board, the additional members of the appeal board shall sit with the director and they shall hear the appeal as an appeal board, and in such case the word "director" as used in this chapter shall, so far as applicable, be construed to mean such appeal board.

**Sec. 53. Witness fees—costs.**

Witness fees and mileage for witnesses on hearing appeals shall be the same as in the district court; but objectors or appellants shall not be allowed witness fees or mileage. Costs of hearings and appeals shall be paid by the municipality.

**Sec. 54. Report on completion.**

Upon the completion of the improvement the executive officer or gov-

erning board of the municipality shall file with the director a verified report showing:

1. The location and character of the improvement.
2. The total contract price for the completed improvement.
3. The total actual cost of the completed improvement.
4. By whom if any one, the construction was supervised.
5. By whom final inspection was made.
6. Whether or not the improvement complies with its contract, plans and specifications.
7. Any failure of the contractor to comply with the plans and specifications.

**Sec. 55. Notice of meeting for issuance of bonds.**

Before any municipality shall institute proceedings for the issuance of any bonds or other evidence of indebtedness, excepting such bonds or other evidence of indebtedness as have been authorized by a vote of the people of such municipality, and except such bonds or obligations as it may be by law compelled to issue, a notice of such action, including a statement of the amount and purpose of said bonds or other evidence of indebtedness shall be published at least once in a newspaper of general circulation within such municipality at least ten (10) days before the meeting at which it is proposed to issue such bonds.

**Sec. 56. Objections may be filed.**

At any time before the date fixed for the issuance of such bonds or other evidence of indebtedness, five (5) or more taxpayers may file a petition in the office of the clerk or secretary of the municipality setting forth their objections thereto.

**Sec. 57. Notice of hearing on objections.**

Upon the filing of any such petition, the clerk or secretary of such municipality shall immediately certify a copy thereof, together with such other data as may be necessary in order to present the questions involved, to the director, and upon receipt of such certificate, petition and information, the director shall fix a time and place for the hearing of such matter, which shall be not less than ten (10) or more than thirty (30) days thereafter, and said hearing shall be held in the municipality in which it is proposed to issue such bonds or other evidence of indebtedness, or in some other nearby convenient place fixed by the director. Notice of such hearing shall be given by registered mail to the executive officer of the municipality and to the five (5) persons whose names first appear on the petition at least ten (10) days before the date of such hearing.

**Sec. 58. Appeal—decision.**

The director shall determine the matter and his decision shall be final. The same shall be certified to the executive officer of the municipality affected. In case there is no appeal, the board of the municipality affected may issue such bonds or other evidence of indebtedness, if legally authorized so to do, in accordance with the proposition published, but in no greater amount. In case of an appeal, the municipality may issue such

bonds or other evidence of indebtedness in accordance with the decision of the director.

Sec. 59. Bonds issued or taxes levied contrary to this act void.

Any bonds or other evidence of indebtedness issued contrary to the provisions of this act, and any tax levied or attempted to be levied for the payment of any such bonds or interest thereon, shall be null and void.

Sec. 59-a1. Time of taking effect.

This chapter shall take effect and be in force from and after October first, nineteen hundred twenty-four (1924).

## CHAPTER 5.

### LOCAL BUDGET LAW.

Sec. 60. Definition of terms.

This chapter shall be known as the "local budget law".

As used in this chapter and unless otherwise required by the context:

1. The word "municipality" shall mean the county, city, town, township, school district, road district, drainage district, and all other public bodies or corporations that have power to levy a tax or certify a tax or sum of money to be collected by taxation.

2. The words "levying board" shall mean board of supervisors of the county and any other public body or corporation that has power to levy a tax.

3. The words "certifying board" shall mean any public body which has the power or duty to certify any tax to be levied or sum of money to be collected by taxation.

4. The words "fiscal year" shall mean the year ending on the thirtieth day of June, and any other period of twelve (12) months constituting a fiscal period, and ending at any other time.

5. The word "tax" shall mean any general or special tax or any special assessment levied against persons, property, or business, for public purposes as prescribed by law.

6. The words "current year" shall mean the year in progress.

Sec. 61. Requirements of local budget.

No municipality shall certify or levy in any year any tax or assessment on property subject to taxation unless and until the following estimates have been made, filed, and considered, as hereinafter provided:

1. The amount of income thereof for the several funds from sources other than taxation.

2. The amount proposed to be raised by taxation.

3. The amount proposed to be expended in each and every fund and for each and every general purpose during the fiscal year next ensuing.

4. A comparison of such amounts so proposed to be expended with the amounts expended for like purposes for the two (2) preceding years.

Sec. 62. Time of filing estimates.

All such estimates and any other estimates required by law shall be made and filed a sufficient length of time in advance of any regular or special meeting of the certifying board or levying board, as the case may be, at which tax levies are authorized to be made to permit publication, discussion, and consideration thereof and action thereon as hereinafter provided.

Sec. 63. Estimates itemized.

The estimates herein required shall be fully itemized and classified so as to show each particular class of proposed expenditure, showing under separate heads the amount required in such manner and form as shall be prescribed by the director.

Sec. 64. Estimate for emergencies.

Each municipality may include in the estimate herein required an estimate for emergency or other expenditure which amount cannot reasonably be foreseen at the time the estimates are made, and such emergency fund shall be used for no other purpose.

Sec. 65. Estimated amount to be raised by taxation.

The amount of the difference between the receipts estimated from all sources other than taxation and the estimated expenditures for all purposes, including the estimates for emergency expenditures, shall be the estimated amount to be raised by taxation upon the assessable property within the municipality for the next ensuing fiscal year. The estimate shall show the number of dollars of taxation for each thousand dollars of the assessed value of all property that is assessed.

Sec. 66. Filing estimates—notice of hearing.

Each municipality shall file with the secretary or clerk thereof the estimates required to be made in the five preceding sections at least twenty (20) days before the date fixed by law for certifying the same to the levying board and shall forthwith fix a date for a hearing thereon, and shall publish such estimates with a notice of the time when and the place where such hearing shall be held at least ten (10) days before the hearing. For the county and any municipality embraced within the county seat, such publication shall be in an official newspaper published at the county seat. For a municipality outside the county seat in which one or more newspapers are published, such publication shall also be in one of such newspapers.

Sec. 67. Levies void unless notice of hearing given.

The verified proof of the publication of such notice shall be filed in the office of the county auditor and preserved by him. No levy shall be valid unless and until such notice is published and filed.

Sec. 68. Meeting for review of local budget.

The certifying board or the levying board, as the case may be, shall meet at the time and place designated in said notice, at which meeting any person who would be subject to such tax levy, shall be heard in favor of or against the same or any part thereof.

**Sec. 69. Record by certifying board.**

After the hearing has been concluded, the certifying board shall enter of record its decision, also the amount of the separate appropriations for each fund in the manner and form prescribed by the director and shall certify the same to the levying board, which board shall enter upon the current assessment and tax roll the amount of taxes which it finds shall be levied for the ensuing fiscal year in each municipality for which it makes the tax levy. Any board which has the power to levy a tax without the same first being certified to it, shall follow the same procedure for hearings as is hereinbefore required of certifying boards.

**Sec. 70. Tax limited.**

No greater tax than that so entered upon the record shall be levied or collected for the municipality proposing such tax for the purpose or purposes indicated; and thereafter no greater expenditure of public money shall be made for any specific purpose than the amount estimated and appropriated therefor, except as provided in sections 64 and 71.

**Sec. 71. Further tax limitation.**

No tax shall be levied by any municipality in excess of the estimates published and five per cent (5%) additional, except such taxes as are approved by a vote of the people, but in no case shall any tax levy be in excess of any limitation imposed thereon now or hereafter by the constitution and laws of the state.

**Sec. 72. Expenses—how paid.**

The cost of publishing the notices and estimates required by this chapter, and the actual and necessary expenses of preparing the budget, shall be paid out of the general funds of each municipality respectively.

**Sec. 73. Budgets to be certified.**

The local budgets of the various municipalities shall be certified by the chairman of the certifying board or the levying board, as the case may be, in duplicate to the county auditor not later than the fifteenth (15th) day of August each year on blanks prescribed by the director, and according to rules and instructions which shall be furnished all certifying and levying boards in printed form by said director. One copy of said budget shall be retained on file in his office by the county auditor, and the other shall be certified by him to the director.

**Sec. 74. Summary of budget.**

Before forwarding copies of local budgets to the director, the county auditor shall prepare a summary of each budget, showing the condition of the various funds for the fiscal year, including the budgets adopted as herein provided. Said summary shall be printed as a part of the annual financial report of the county auditor, and one copy shall be certified by him to the director.

**Sec. 75. Levying board to spread tax rates.**

At the time required by law the levying board shall spread the tax rates necessary to produce the amount required for the various funds

of the municipality as certified by the certifying board, for the next succeeding year, as shown in the approved budget in the manner provided by law. One copy of said rates shall be certified to the director.

Sec. 76. Tax rates to stand.

The several tax rates and levies of the municipalities thus determined and certified in the manner provided in the preceding sections, except such as are authorized by a vote of the people, shall stand as the tax rates and levies of said municipality for the ensuing year for the purposes set out in the budget.

Sec. 77. Transfer of funds.

Subject to the provisions of any law relating to municipalities, when the necessity for maintaining any fund of the municipality has ceased to exist, and a balance remains in said fund, the certifying board or levying board, as the case may be, shall so declare by resolution, and upon such declaration, such balance shall forthwith be transferred to the general or contingent fund of the municipality, unless other provisions have been made in creating such fund in which such balance remains.

Sec. 78. Return of funds transferred.

Subject to the provisions of law relating to municipalities, and upon the approval of the director, it shall be lawful to transfer money from one fund of a municipality to another fund thereof, and the certifying board or levying board, as the case may be, shall provide that money so transferred must be returned to the fund from which it was transferred as soon as may be, provided, that it shall not be necessary to return to the emergency fund or to any other fund no longer required, any moneys transferred therefrom to any other fund.

Sec. 79. Director to supervise certifying and levying boards and prescribe rules.

The director shall exercise general supervision over the certifying boards and levying boards of all municipalities with respect to budgets and shall prescribe for them all necessary rules, instructions, forms, and schedules. The best methods of accountancy and statistical statements shall be used in compiling and tabulating all data required by this act.

Sec. 80. Penalty for failure to perform duties.

Failure on the part of any public official to perform any of the duties prescribed in this act shall constitute a misdemeanor, and shall be sufficient ground for removal from office.

Sec. 81. Annual report to governor.

The director shall make an annual report to the governor setting forth the essential facts and statistical data regarding his administration of this act.

## CHAPTER VI.

Sec. 82. Temporary appropriation.

There is hereby appropriated out of the funds in the state treasury not otherwise appropriated, a sum sufficient to carry into effect the provi-

sions of this chapter. This appropriation shall expire on June thirtieth, nineteen hundred twenty-five (1925).

That section thirty-nine-a six (39-a6) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 83. Compensation and expenses.

For meetings of the committee other than those held during the time the legislature is in session, each member of the committee shall receive his actual traveling expenses and a per diem of ten dollars per day for each day in attendance.

Sec. 84. Temporary appropriation.

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), from any moneys in the state treasury not otherwise appropriated, such sum as may be necessary to pay the expense and per diem provided for in the last preceding section.

That section one hundred seventy-five-a sixteen (175-a16) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 85. Assistants—appropriation.

The reporter of the supreme court may, by and with the consent of the supreme court, employ the necessary assistants and clerical help at such compensation as may be fixed by the supreme court, in addition to those otherwise provided by law, and there is hereby annually appropriated out of any money in the state treasury not otherwise appropriated the sum of five thousand dollars to be used for the purpose of carrying out the provisions of this section.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section two hundred forty-one-a thirty-two (241-a32) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 86. Appropriation.

There is hereby annually appropriated, until July first, nineteen hundred twenty-five (1925), out of any unappropriated funds in the state treasury a sum sufficient to pay all obligations incurred under this and the two following chapters of this title.

That section three hundred thirty-six (336) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 87. Guard support fund.

There is appropriated, until July first, nineteen hundred twenty-five (1925), out of any moneys in the treasury not otherwise appropriated, the sum of two hundred sixty-five thousand dollars (\$265,000) per annum, or so much thereof as may be necessary, for the support of the guard under the provisions of this chapter not applying to active service, which shall be drawn by a warrant, drawn by the auditor of state on the state treasurer, upon the certificate of the adjutant general approved by the governor and checked by the state board of audit, showing for what

purpose each draft is to be or has been used, and no indebtedness shall be created in excess of such annual appropriation.

That section three hundred thirty-six-a one (336-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

**Sec. 88. Camp Dodge maintenance fund.**

There is hereby annually appropriated, until July first, nineteen hundred twenty-five (1925), out of any funds in the state treasury not otherwise appropriated the sum of ten thousand dollars (\$10,000), or so much thereof as may be necessary, for the maintenance of Camp Dodge. Expenditures from said appropriation shall be certified by the adjutant general and approved by the governor, and proper vouchers therefor shall be filed with the state board of audit before warrants are issued by the auditor of state. No indebtedness shall be created in excess of such annual appropriation.

That section three hundred thirty-eight (338) of the compiled code of Iowa is amended, revised, and codified to read as follows:

**Sec. 89. Appropriation for Grand Army of the Republic.**

There is hereby appropriated until July first, nineteen hundred twenty-five (1925), out of the funds in the state treasury not otherwise appropriated, the sum of seven hundred fifty dollars annually, or so much thereof as may be necessary, for the use of the headquarters, department of Iowa, Grand Army of the Republic, for the payment of incidental office expenses, including postage, printing, telegraph, and telephone charges, and other expenses incident to the maintenance of said headquarters.

That section eight hundred seventy-two (872) of the compiled code of Iowa is amended, revised, and codified to read as follows:

**Sec. 90. Expenses.**

The expenses incurred under the preceding sections of this chapter shall be audited by the state board of audit and shall be paid out of any money in the state treasury not otherwise appropriated upon warrants drawn by the auditor of state. This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section eleven hundred eighty-six (1186) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

**Sec. 91. Annual appropriation.**

For the purpose of carrying into effect the provisions of this chapter, there shall be appropriated out of the fish and game protection fund any portion thereof which is in the judgment of the executive council, unnecessary for the support and maintenance of the fish and game department, and in addition thereto there shall be appropriated annually out of any moneys in the state treasury not otherwise appropriated, the sum of seventy-five thousand dollars (\$75,000.00). This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-three hundred seventeen (2317) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

### Sec. 92. Appropriation.

For the purpose of carrying out the provisions of this chapter, there is hereby appropriated until July first, nineteen hundred twenty-five (1925), out of any moneys in the state treasury, not otherwise appropriated, the sum of one hundred fifty thousand dollars (\$150,000.00) annually hereafter.

That section twenty-three hundred forty-six-a one (2346-a1) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

### Sec. 93. Permanent annual appropriations.

There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the state university of Iowa, the sum of seven hundred thousand dollars (\$700,000.00) annually hereafter for the following purposes:

Education support .....	\$454,700.00.
College of applied science, liberal arts, law, pharmacy and medicine .....	68,350.00
College of dentistry .....	23,725.00
College of education .....	20,000.00
Graduate college .....	9,000.00
College of fine arts.....	3,000.00
University extension .....	17,000.00
Summer school .....	16,000.00
Equipment and supplies .....	12,500.00
Repair and contingent .....	35,000.00
Department of buildings and grounds.....	12,000.00
Administration .....	6,225.00
Library .....	17,500.00
Epidemiology laboratory .....	5,000.00

The permanent annual appropriations provided for in this section shall be paid on the order of the Iowa state board of education, in monthly installments beginning July first, of each year, with the exception of the summer school fund, sixteen thousand dollars, which shall be available on July first of each year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-three hundred fifty-one (2351) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

### Sec. 94. Appropriation.

There is hereby appropriated until July first, nineteen hundred twenty-five (1925), out of the money in the state treasury not otherwise appropriated the sum of twenty-five thousand dollars (\$25,000.00) annually hereafter for the maintenance of such a station and the furtherance of the objects, to be expended on the order and under the direction of said board of education.

That section twenty-three hundred seventy-four-a six (2374-a6) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

## Sec. 95. Appropriation.

There is hereby appropriated, out of the money in the state treasury not otherwise appropriated, the sum of twenty-one thousand two hundred thirteen dollars and sixty cents (\$21,213.60), which shall be available immediately upon the passage of this chapter; and the sum of twenty-one thousand two hundred thirteen dollars and sixty cents (\$21,213.60) annually hereafter, until July first, nineteen hundred twenty-five (1925) for the promotion of the welfare and hygiene of maternity and infancy, provided the provisions of said act of congress named in this chapter shall remain in force until said date.

That section twenty-three hundred ninety-six-a one (2396-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

## Sec. 96. Permanent annual appropriations.

There is hereby appropriated to the Iowa state college of agriculture and mechanic arts, out of any money in the state treasury not otherwise appropriated, the sum of nine hundred forty thousand dollars (\$940,000) annually hereafter for the following purposes:

Permanent collegiate support fund.....	\$505,000.00
Summer session .....	20,000.00
Two year and four year courses in home economics for homemakers and teachers .....	20,000.00
Subcollegiate courses in agriculture, home economics, and engineering .....	54,000.00
Contingent fund, repairs, and minor improvements.....	46,000.00
Library, books and periodicals .....	5,000.00
Maintenance and improvement of public grounds.....	10,000.00
	<hr/>
	660,000.00

and for,

Winter short courses in agriculture, home economics and engineering and trade school.....	9,500.00
Veterinary practitioners' courses .....	2,500.00
Engineering experiment station .....	15,000.00
Good roads experimentation.....	10,000.00
Agricultural experiment station.....	115,500.00
Agricultural and home economics extension.....	90,000.00
Engineering extension and trade schools.....	25,000.00
Veterinary investigations .....	12,500.00
	<hr/>
	280,000.00

The appropriations in this section shall be paid on the order of the Iowa state board of education, in monthly installments beginning July first, of each year, with the exception of the summer sessions fund of twenty thousand dollars (\$20,000), which shall be available on July first of each year and the winter short course fund of nine thousand five hundred dollars (\$9,500), which shall be available on January first each year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-four hundred twenty-one (2421) of the compiled code of Iowa is amended, revised, and codified to read as follows:

**Sec. 97. Appropriation.**

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), out of the general funds of the state treasury not otherwise appropriated the sum of fifteen hundred dollars (\$1,500) annually to carry out the provisions of the three preceding sections.

That section twenty-four hundred thirty (2430) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

**Sec. 98. Annual appropriation.**

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), out of any moneys not otherwise appropriated the sum of six thousand five hundred dollars (\$6,500) annually, or so much thereof as may be necessary, for carrying out the provisions of section twenty-four hundred twenty-five (2425) of this supplement, and sections twenty-four hundred twenty-six (2426) to twenty-four hundred twenty-nine (2429), inclusive, of the compiled code.

That section twenty-four hundred thirty-two-a one (2432-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

**Sec. 99. Permanent annual appropriations.**

There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the Iowa state teachers college, the sum of two hundred eighty-five thousand dollars (\$285,000) annually hereafter for the following purposes:

Teachers' fund .....	\$139,500.00
Summer term fund .....	40,000.00
Contingent and repair .....	70,000.00
Library .....	5,000.00
Librarian's salary fund .....	8,500.00
Hospital fund .....	2,250.00
Extension service fund.....	19,750.00

The permanent annual appropriations provided for in this section shall be paid on the order of the Iowa state board of education, in monthly installments beginning July first, of each year, with the exception of the summer term fund, forty thousand dollars (\$40,000.00), which shall be available on July first of each year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-four hundred forty-a one (2440-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

**Sec. 100. Permanent annual appropriations.**

There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the college for the blind, the sum of forty-one thousand six hundred dollars (\$41,600) annually hereafter for the following purposes:

Support fund .....	\$40,000.00
Repair and contingent fund.....	1,500.00
Oculist fund .....	100.00

The permanent annual appropriations provided for in this section shall be paid on the order of the Iowa state board of education, in monthly installments beginning July first of each year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-five hundred one-a one (2501-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

**Sec. 101. Appropriations for institutes.**

To defray the expenses of county teachers' institutes, there is hereby appropriated out of any moneys in the state treasury not otherwise set apart a sum not to exceed fifty dollars (\$50.00) annually for each institute held in each county, which sum the superintendent shall receive from the state treasurer, upon the warrant of the state auditor, to be issued to him upon his certificate; which amount, when drawn, shall be forthwith remitted to the proper county superintendent. If any balance remains of this sum after paying the expenses of the institute, it shall be covered into the county treasury of the proper county and credited to the institute fund.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-six hundred eighteen (2618) of the compiled code of Iowa is amended, revised, and codified to read as follows:

**Sec. 102. Appropriation.**

For the purpose of carrying out the provisions of this chapter there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of one hundred thousand dollars (\$100,000) annually.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-seven hundred seventy-five (2775) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

**Sec. 103. Compensation and expenses.**

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 maintenance and extension of the traveling library system.

Sec. 104. Appropriation.

There is hereby annually appropriated from any funds in the state treasury not otherwise appropriated, the sum of twelve thousand dollars (\$12,000) to carry into effect the provisions of the last preceding section, and any balance not expended in any one year may be added by the commission to the expenditure for any ensuing year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925), at which time any unexpended balance shall be credited to the general fund of the state.

That section twenty-eight hundred sixty-four-a seven (2864-a7) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 105. Appropriation.

There is hereby appropriated from any unappropriated funds now or hereafter in the state treasury an amount sufficient to pay the obligations created by this chapter. Said costs shall be paid only on itemized vouchers which shall carry a certificate from the chief engineer of the state highway commission that said improvement has been completed according to contract.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-nine hundred forty-eight (2948) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 106. Machinery for counties and highway commission.

The state highway commission, with the consent of the board of supervisors of any county, is authorized to purchase for and on behalf of any such county, road material or road machinery, after receiving competitive bids, and to pay for the same out of such county's allotment of the primary fund, and is directed to purchase, rent or lease any machinery or other articles necessary for the use and most economical operation of field engineering work, the testing of materials, the preparation of plans, and for allied purposes, in order to enable the commission to carry out the provisions of this chapter, and to pay for the same out of the state highway commission maintenance fund.

Sec. 107. Donations by federal government.

Should the government of the United States provide for free distribution among the states, of machinery or other equipment, suitable for use in road improvement, the state highway commission is empowered to receive and receipt for such machinery and equipment, and to take such action as will secure to the state the benefit of any such tenders by the federal authorities. Said commission is further authorized, in the event of such distribution to the states by the federal authorities, to make such apportionment of said machinery or other equipment among the counties

of the state as in its judgment will best facilitate work in progress or contemplated by any county or counties, but the title and right of possession of such property so received from the federal government shall at all times rest in the state highway commission for the use and benefit of the state.

Sec. 108. Appropriation.

The executive council is hereby authorized to pay the expense, if any, attending the transportation of such machinery or other equipment to the state of Iowa, out of any funds in the state treasury not otherwise appropriated. This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section thirty hundred eighty-one-a thirteen (3081-a13) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 109. Appropriation.

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), out of the funds in the state treasury, not otherwise appropriated, the sum of ten thousand dollars (\$10,000.00) annually, or so much thereof as may be necessary, the same to be expended by the state railroad commission to carry out the provisions of this chapter.

That section fifty hundred forty-four-a one (5044-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 110. Appropriation.

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), out of the funds in the state treasury, not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000.00) annually, or so much thereof as may be necessary, the same to be expended by the state railroad commission in the preparation and submission of cases involving interstate rates or services affecting Iowa, and in the investigation and determination of all cases within its jurisdiction, and to defray the general expenses of the administration of the duties of the state railroad commission.

That section fifty-four hundred thirty-nine-a one (5439-a1) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 111. Contingent fund.

For the purpose of carrying the provisions of this chapter into effect, and providing for the payment of necessary expenses not otherwise provided for, there is hereby appropriated, until July first, nineteen hundred twenty-five (1925), as a contingent fund for the use of the secretary of state during each biennial period the sum of twenty-five hundred dollars (\$2500.00). Payments from said fund shall be made on order of such secretary by warrant drawn by the auditor of state against such fund upon the state treasurer, an itemized statement of expense so incurred to be filed with the state board of audit.

That section sixty-four hundred seventy-three (6473) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

**Sec. 112. How constituted.**

The members of the commission shall be selected with reference to their fitness for the duties required and at least one of them shall be a competent surveyor and civil engineer.

**Sec. 113. Compensation.**

They shall receive for their services such amount as the executive council may deem reasonable, to be certified by the executive council to the auditor of state, who shall draw his warrant for the amount, and the same shall be paid out of the general fund. This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section sixty-four hundred seventy-six (6476) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

**Sec. 114. Expenses of survey, appraisalment and advertising—how paid.**

The expenses of the survey and the appraisalment, the expenses of the secretary of state or the clerk of the state land office in making the trip into the county to select the commissioners to appraise the land, the expenses of advertising and readvertising for sale of the land, and the expenses of reappraising whenever such reappraisalment is deemed necessary, shall be certified by the secretary of state to the auditor of state, who shall draw his warrant for the amount, and the same shall be paid out of the general fund. This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That sections ninety hundred fifty-six (9056) and ninety hundred fifty-seven (9057) of the compiled code of Iowa are amended, revised, and codified to read as follows:

**Sec. 115. Power of special agents.**

Special agents appointed by the governor shall have the rights and powers possessed by special agents of the department of justice appointed by the attorney general, and shall give bond in the same amount.

**Sec. 116. Salary and expenses.**

Special agents appointed by the governor shall be paid their actual and necessary expenses incurred in the discharge of their duties, and such salary as the executive council shall fix. Not more than one special agent may be employed by the governor for a period in excess of thirty (30) days without the consent of the executive council.

**Sec. 117. Temporary appropriation.**

There is appropriated, until July first, nineteen hundred twenty-five (1925), from any funds in the state treasury not otherwise appropriated, such sum as may be necessary to pay the salaries and expenses of special agents appointed by the governor.

That sections five (5) and six (6) of House File No. Ten (10) of the acts of the extra session of the Fortieth General Assembly, said House file being entitled "An act to amend, revise, and codify chapter six (6) of title

two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general and making an appropriation for the expenses provided", are amended, revised, and codified to read as follows:

Sec. 118. Special counsel.

No compensation shall be allowed to any person for services as an attorney or counselor to any department of the state government, or the head thereof, or to any state board or commission, except in cases specially authorized by law, but the executive council may employ legal assistance, at a reasonable compensation, in any pending action or proceeding to protect the interests of the state, but only upon a sufficient showing, in writing, made by the attorney general, that his department can not for reasons stated by him perform said service, which reasons and action of the council shall be entered upon its records. Such compensation shall, until July first, nineteen hundred twenty-five (1925), be payable out of any unappropriated funds in the state treasury.

Sec. 119. Expenses.

The attorney general and his assistants shall be repaid their actual and necessary expenses incurred in transacting their official duties at places other than the seat of government.

That sections two thousand seven hundred seventy-six (2776) to two thousand seven hundred eighty-one (2781), inclusive, of the compiled code of Iowa, and sections two thousand seven hundred eighty-one-a-one (2781-a1) and two thousand seven hundred eighty-one-a two (2781-a2) of the supplement to the compiled code are amended, revised, and codified to read as follows:

Sec. 120. State historical society—duties.

That the state historical society shall be maintained in connection with and under the auspices of the state university of Iowa, for carrying out the work of collecting and preserving materials relating to the history of Iowa and illustrative of the progress and development of the state; for maintaining a library and collections, and conducting historical studies and researches; for issuing publications, and for providing public lectures of historical character, and otherwise disseminating a knowledge of the history of Iowa among the people of the state.

Sec. 121. Appropriations.

There is hereby appropriated for the use of the state historical society, out of money in the state treasury not otherwise appropriated, annually until July 1, 1925, the sum of forty-four thousand five hundred dollars (\$44,500.00) which shall be payable in quarterly installments upon the order of the board of curators of said society.

Sec. 122. Interpretative clause.

The amendment, revision, and codification of sections eighty-two (82) to one hundred twenty-one (121), inclusive, which embrace appropriations, is for the sole purpose of terminating said existing appropriations at the

time indicated, and should any such appropriations as indicated in this act be in excess of those now authorized, they shall be reduced to said amount and in no case shall they be increased.

Sec. 123. Publication clause.

This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Des Moines News and the Plain Talk, newspapers published in the City of Des Moines, Iowa.

Passed on file.

BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this seventeenth day of April, 1924, sent to the Governor for his approval:

House Files Nos. 8, 190 and 320.

C. F. LETTS, *Chairman.*

Report adopted.

AMENDMENTS FILED

Gibson of Clarke filed the following amendments to Senate File No. 191:

(1) Amend Senate File No. 191 by adding the following:

Sec. —. Whenever public convenience requires the same, every telephone company, shall, for a reasonable compensation, permit a physical connection or connections to be made, and telephone service to be furnished between any telephone exchange system operated by it and the telephone toll line or lines operated by another company, or between its telephone toll line or lines and the telephone exchange system or another telephone company, or between its toll line and the toll line of another company, or between its toll line and the line of another telephone company whenever such physical connection or connections is practical and reasonable. The term "physical connection" as used in this section, shall mean such number of trunk lines or complete wire circuits and connections as may be required to furnish reasonable and adequate service between such telephone lines and exchanges and shall not be deemed to provide for any connection whereby one line or circuit is to be bridged upon another line or circuit. In case of failure of the telephone companies concerned to allow or agree upon such physical connection or connections, or the terms and conditions upon which the same shall be made, application may be made to the railroad commission by any person, partnership, or corporation, operating a telephone line or telephone exchange, or by one hundred (100) bona fide subscribers of an exchange affected thereby, for an order requiring such connection and fixing the compensation,

terms and conditions thereof, and if after investigation and hearing the commission shall find that such physical connections are of public convenience and necessity, it shall by order direct that such connections be made, and prescribe reasonable conditions and compensation therefor and for the joint use thereof, and by whom the expense of making and maintaining such connection or connections shall be paid.

Sec. —. Any companies required by order of the commission to provide for the physical connection of telephone lines and facilities, and to establish joint rates, tolls and charges, are hereby required to perform switching service for the transmission of conversations between the lines and facilities operated by such company or companies without favor or discrimination. The company on whose line or lines conversations originate shall be responsible to and make settlement with the company or companies owning or operating the connecting or terminal line or lines for the share of said company or companies in the joint toll rate or charge for such message.

Sec. —. Any order made by the railroad commissioners pursuant to the two preceding sections shall be enforced in the manner provided for the enforcement of the orders of the railroad commissioners. The right to appeal from any order made under the two preceding sections shall be the same as appeals taken from orders made by the railroad commissioners.

(2) Amend the title by striking out the period after the word "franchises" and substituting a semicolon therefor, and by adding the following: "also, giving the railroad commissioners authority to require physical connections between telephone lines and telephone exchanges, and to determine and fix the charges thereof, and share of tolls, and providing for right of appeal."

On motion of Matthiesen of Clinton the House adjourned until 9:00 a. m. Friday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 18, 1924.

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

Prayer was offered by the Rev. J. Walton Kempe, pastor of Grand View Lutheran church, Des Moines.

Journal of April 17th corrected and approved.

## LEAVE OF ABSENCE

On motion of Ulstad of Wright, Harrison of Pottawattamie was excused for today and tomorrow.

## CALL OF HOUSE WITHDRAWN

Wilson of Tama asked unanimous consent to withdraw the call of the House, filed April 11th.

No objection being made, it was so ordered.

## SPECIAL ORDER MADE

Moen of Lyon moved that the conference committee report on Senate File No. 7 be made a special order for this afternoon at 1:30 o'clock.

Berry of Monroe moved to amend the motion by changing the time from 1:30 o'clock today to Tuesday, April 22d, at 10:00 a. m.

Stookesberry of Davis moved the previous question on the amendment by Berry of Monroe.

Motion prevailed.

On the question "Shall the amendment by Berry of Monroe be adopted?" a roll call was demanded.

The ayes were:

Aiken	Leonard	Orr	Slommons
Brittain	Oliver	Rewoldt	Smith of Lucas—9
Huff			

The nays were:

Berry	Graham	Miller	Schulte
Blake	Grimwood	Moen	Scott of
Blume	Hansen	Napier	Appanoose
Bradley	Hattendorf	Natvig	Scott of Fremont
Brady	Hauge	Noble	Smith of
Carter	Healy	Olson	Chickasaw
Children	Held	Parsons	Stoek
Clark	Hempel	Patterson	Stookesberry
Colbert	Henderson	Peterson	Storey
Cole	Himebauch	Potts	Strippel
Donhowe	Hollis	Powers	Ulstad
Dotts	Johnson	Quirk	Venard
Edge	King	Rhinehart	Wamstad
Edson	Letts	Robson	Williams
Forsling	Lichty	Rumley	Wilson
Frahm	Long	Rust	Wolfe
Gallagher	Lovrien	Sampson	Yenter
Garber of Floyd	Mathews	Saunders	Mr. Speaker—73
Gibson	Matthiesen	Schirmer	

Absent or not voting:

Anderson of	Doolittle	Gilmore	Ontje
Webster	Elliott	Harrison	Ramsey
Buffington	Fackler	Knutson	Rankin
Criswell	Garber of Adair	Lake	Rassler
Dewar	Gesman	Lieberknecht	Vincent
Diltz	Gilbert	McClune	Weber—26
Dooley	Gilbertson	O'Donnell	

The amendment by Berry of Monroe was rejected.

Motion by Moen of Lyon prevailed.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 177, 183, 312, 316, 318, 321 and 125.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER: I am directed to inform your honorable body that the

Senate has concurred in House amendment to Senate amendment to House File No. 68, relating to animal industry.

Also, that the Senate has concurred in House amendments Nos. 1, 2, 8, 9, 10, 12, 16, and 21; and has refused to concur in House amendments Nos. 3, 4, 5, 6, 7, 11, 13, 14, 15, 17, 18, 19 and 20 to Senate File No. 121, a bill for an act relating to the county road, bridge, and culvert system and taxation therefor, and to toll bridges and ferries, etc.

LEON W. AINSWORTH, *Secretary*.

#### HOUSE INSISTS UPON AMENDMENTS

Edson of Buena Vista moved that the House insist upon all its amendments to Senate File No. 121.

On the question "Shall the House insist upon all its amendments to Senate File No. 121?" a roll call was demanded.

The ayes were:

Aiken	Gallagher	Matthiesen	Saunders
Anderson of Webster	Garber of Floyd	Miller	Schirmer
Berry	Gibson	Moen	Schulte
Blake	Gilbert	Napier	Scott of Appanoose
Blume	Gilmore	Natvig	Scott of Fremont
Bradley	Graham	Noble	Slemmons
Brady	Grimwood	Oliver	Smith of Chickasaw
Brittain	Hansen	Olson	Smith of Lucas
Buffington	Hattendorf	Ontjes	Stock
Carter	Hauge	Orr	Stookesberry
Children	Healy	Parsons	Storey
Colbert	Held	Patterson	Strippel
Cole	Hempel	Peterson	Ulstad
Dewar	Henderson	Potts	Venard
Donhowe	Himebauch	Powers	Vincent
Dooley	Hollis	Quirk	Wamstad
Dotts	Huff	Rassler	Williams
Edge	Johnson	Rewoldt	Wilson
Edson	King	Rhinehart	Wolfe
Elliott	Lake	Robson	Yenter
Fackler	Leonard	Rumley	Mr. Speaker—91
Forsling	Letts	Rust	
Frahm	Lovrien	Sampson	
	Mathews		

The nays were, none.

Absent or not voting:

Clark	Gesman	Lichty	O'Donnell
Criswell	Gilbertson	Lieberknecht	Ramsey
Diltz	Harrison	Long	Rankin
Doolittle	Knutson	McClune	Weber—17
Garber of Adair			

The House insisted upon all its amendments to Senate File No. 121.

On motion of Children of Pottawattamie the House adjourned until 1:30 p. m. today.

### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### APPOINTMENT OF COMMITTEE CLERK

The chief clerk announced the appointment of Mrs. Beulah Taylor to fill the vacancy caused by the resignation of Mary Griffiths.

#### REPORT OF COMMITTEE

Blake of Fayette, from the committee on public utilities, submitted the following report:

MR. SPEAKER: Your committee on public utilities to whom was referred Senate File No. 191, a bill for an act to amend, revise, and codify sections thirty hundred thirty-nine (3039), fifty hundred twenty-seven (5027) to fifty hundred thirty-three (5033), inclusive, and fifty hundred thirty-seven (5037) to fifty hundred forty-three (5043), inclusive, of the compiled code of Iowa, and section thirty hundred thirty-eight (3038) of the supplement to said code, relating to electric and other wires crossing railroad tracks and to electric transmission lines and franchises, beg leave to report they have had 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. BLAKE, *Chairman.*

Report adopted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

As a conference committee on Senate File No. 121, the Speaker appointed the following members on the part of the House: Carter of Hardin, Peterson of Henry, Johnson of Dickinson and Patterson of Kossuth.

#### REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 213

Forsling of Woodbury, from the third conference committee on House File No. 213, submitted the following report:

MR. SPEAKER: Your conference committee appointed for the consideration of the differences between the Senate and House on House File No. 213, a bill relating to marriage and incest, beg leave to submit the following recommendations:

1. That the House concur in that Senate amendment which amends the title of the bill.
2. That the Senate recede from all its amendments to the bill excepting that amendment which amends the title.
3. That the House recede from all its amendments to the Senate amendments.
4. That section 1-a1 of the bill as passed by the House be stricken from the bill.
5. Amend the bill by inserting as subsection 5 of section 1 the following:  
 "5. Where either party is an idiot, imbecile, insane or under guardianship as an incompetent."

L. B. FORSLING,  
 T. B. STOCK,  
 WM. E. G. SAUNDERS,  
 O. GILBERTSON,  
*House Conferees.*

H. C. ADAMS,  
 W. J. GOODWIN,  
 E. W. ROMKEY,  
 GEORGE S. BANTA,  
*Senate Conferees.*

Passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 114, 315, 322, 325.

C. F. LETTS, *Chairman House Committee.*  
 F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 114, 315, 322 and 325; Senate Files Nos. 177, 183, 312, 316, 318, 321 and 125.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this eighteenth day of April, 1924, sent to the Governor for his approval:

House Files Nos. 114, 315, 322, 325.

C. F. LETTS, *Chairman.*

Report 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. 324, a bill for an act to legalize the transfer of funds by the board of supervisors of Wapello county, Iowa.

Also, that the Senate has adopted the report of the conference committee and concurred in the amendments proposed therein, on House File No. 84, a bill for an act relating to removal from office.

LEON W. AINSWORTH, *Secretary.*

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on April 18th, approved the following bills: House Files Nos. 190, 320 and 8.

#### CONFERENCE COMMITTEE REPORT CONSIDERED

The conference committee report on Senate File No. 7, found in the House Journal of April 17th, was taken up and considered.

Yenter of Johnson in the chair.

Ontjes of Grundy moved the previous question.

Motion prevailed.

Speaker Anderson in the chair.

On motion of Frahm of Carroll, Blume of Crawford was excused for the remainder of the day.

On motion of Quirk of Sac, King of Clay was excused for the remainder of the week.

On motion of Dotts of Wayne, Edson of Buena Vista was excused for the remainder of the week.

On motion of Wolfe of Linn, Knutson of Cerro Gordo was excused for the remainder of the week.

On the question "Shall the report of the conference committee on Senate File No. 7 and the amendments proposed by said conference committee be adopted?"

The ayes were:

Blake	Gilbert	Natvig	Schirmer
Bradley	Gilmore	O'Donnell	Slemmons
Brittain	Graham	Olson	Smith of
Buffington	Grimwood	Ontjes	Chickasaw
Carter	Hauge	Parsons	Stock
Children	Healy	Patterson	Storey
Clark	Held	Peterson	Strippel
Colbert	Himebauch	Potts	Ulstad
Cole	Hollis	Powers	Vincent
Donhowe	Johnson	Quirk	Wamstad
Doolittle	Lake	Rankin	Weber
Edge	Letts	Rhinehart	Williams
Forsling	Lichty	Robson	Wilson
Gallagher	Lovrien	Rust	Wolfe
Garber of Adair	McClune	Sampson	Yenter
Garber of Floyd	Moen	Saunders	Mr. Speaker—63

The nays were:

Aiken	Fackler	Leonard	Rewoldt
Anderson of	Frahm	Mathews	Rumley
Webster	Gibson	Matthiesen	Schulte
Berry	Gilbertson	Miller	Scott of
Brady	Hansen	Napier	Appanoose
Criswell	Hattendorf	Noble	Scott of Fremont
Dewar	Hempel	Olliver	Smith of Lucas
Dooley	Henderson	Orr	Stookesberry
Dotts	Huff	Rassler	Venard—35
Elliott			

Absent or not voting:

Blume	Gesman	Knutson	Long
Diltz	Harrison	Lieberknecht	Ramsey—10
Edson	King		

The report of the conference committee on Senate File No. 7 and the amendments proposed by said conference committee were adopted.

#### MOTION TO RECONSIDER LAID UPON TABLE

Hauge of Polk moved to reconsider the vote by which the House adopted the report of the conference committee on Senate File No. 7 and the amendments proposed by said conference committee and lay the motion to reconsider upon 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 adopted the report of the conference committee and concurred in the amendments proposed on Senate File No. 186, relating to mill dams and races and water power improvements.

Also, that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate File No. 322, a bill for an act to legalize a certain special election held on the 31st day of March, 1924, in the city of Valley Junction, Iowa.

LEON W. AINSWORTH, *Secretary.*

## REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 186

**MR. PRESIDENT:** Your conference committee to whom was referred the disagreements between the Senate and House on Senate File No. 186, a bill for an act to amend, revise and codify chapters three (3) and four (4) of title fifteen (15) of the compiled code of Iowa, relating to mill dams, races and water power improvements, beg leave to report that they have had the same under consideration and submit the following recommendations:

1. That the Senate concur in the House amendments.
2. That section 5 of the bill be amended by adding thereto the following: "Provided, however, that the provisions of this section shall not apply to dams already constructed having less than twenty-five (25) horsepower capacity.

CHAS. M. DUTCHER,

C. J. FULTON,

A. T. BROOKINS,

*Conferees on the part of the Senate.*

WM. E. G. SAUNDERS,

W. F. SCHIRMER,

CLYDE H. DOOLITTLE,

R. O. GARBER,

*Conferees on the part of the House.*

## SENATE MESSAGE CONSIDERED

Senate File No. 322, a bill for an act to legalize a special election held on the 31st day of March, 1924, in the city of Valley Junction, Iowa, whereat there was submitted to the voters the proposition of the issuance of bonds of said city of Valley Junction in the sum of twenty thousand dollars (\$20,000.00), for the purpose of extending the waterworks system owned and operated by said city; and to legalize all acts and proceedings in re-

spect to said election and said bonds and to authorize the issuance of twenty thousand dollars (\$20,000.00) water works bonds of said city.

Read first and second times and referred to committee on judiciary.

**REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 277**

Garber of Adair, from the conference committee on House File No. 277, submitted the following report:

**MR. SPEAKER:** Your conference committee on House File No. 277 beg leave to submit the following report and recommendations:

- (1) That the following be substituted for Senate amendment No. 4:

Amend by inserting after section 129 the following:

Sec. 129-a1. The board of supervisors of any county may designate certain public highways whereon vehicles, machines and loads of greater weight than the maximum prescribed in section one hundred ninety-five (195) of this act may be excluded and make such other reasonable regulations in relation to the use thereof as may be necessary to prevent the destruction of a permanent improvement thereon.

- (2) That the Senate recede from amendment No. 5 amending section one hundred thirty-two (132) of the bill.

- (3) That the Senate recede from amendment No. 6 amending section one hundred forty-four (144) of the bill.

- (4) That the Senate amendment No. 7 be amended by inserting between the words "any" and "highways" in section one hundred eighty-five-a1 (185-a1) the words "hard surfaced" and by striking from lines three (3) and four (4) of section one hundred eighty five-a1 (185-a1) the words "front or" and substituting in line four (4) for the word "lights" the word "light".

Also by substituting for the word "lights" in lines two (2) and four (4) of section one hundred eighty-five-a2 (185-a2) the word "light".

And when so amended the House concur in said amendment.

- (5) Amend Senate amendment No. 8 by substituting therefor the following:

Also strike out section 195 and insert in lieu thereof the following:

Sec. 195. The total maximum load on any one wheel of a motor vehicle, including the weight of the vehicle and the load it carries, shall be four (4) tons, provided the total maximum weight of the vehicle and the load shall not in any event exceed fourteen (14) tons for a vehicle equipped

with pneumatic tires or twelve (12) tons for a vehicle equipped with solid rubber tires.

R. O. GARBER,  
J. C. McCLUNE,  
HAL C. DEWAR,  
W. S. CRISWELL,

*Conferees on part of House.*

J. M. SLOSSON,  
B. M. STODDARD,  
J. D. BUSEE,  
O. L. MEAD,

*Conferees on part of Senate.*

Passed on file.

#### SENATOR JAMES H. TREWIN ADDRESSES HOUSE

Hauge of Polk moved that an invitation be extended to Senator James H. Trewin, code commissioner, to address the House.

Motion prevailed and Senator Trewin was escorted to the Speaker's station where he briefly addressed the House.

Appropriate responses were made by Clark of Linn, Children of Pottwattamie, Gallagher of Iowa, Smith of Chickasaw and Doolittle of Delaware.

Olson of Clinton moved that the remarks of Hon. James H. Trewin and the responses made by the above named members of the House be printed in the Journal.

Motion prevailed.

On motion of Buffington of Mills the House adjourned until 9:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 19, 1924.

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

Prayer was offered by the Rev. Paul J. Gerberding, pastor of the Evangelical Lutheran church, Des Moines.

Journal of April 18th corrected and approved.

## LEAVE OF ABSENCE

On motion of Grimwood of Jones, Gibson of Clarke was excused for the day.

On motion of Napier of Ringgold, Colbert of Union was excused until Tuesday.

On motion of Smith of Chickasaw, Moen of Lyon was excused until Tuesday.

On motion of Miller of Shelby, Criswell of Boone was excused until Tuesday.

On motion of Wilson of Tama, Garber of Floyd was excused indefinitely.

On motion of Gilbert of Marshall, Rumley of Decatur was excused for the day.

On motion of Children of Pottawattamie, Williams of Montgomery and Robson of Greene were excused for the day.

On motion of Slemmons of Buchanan, Natvig of Howard was excused until Tuesday.

On motion of Dotts of Wayne, Edson of Buena Vista was excused for the day.

On motion of Wamstad of Mitchell, Himebauch of Emmet was excused for the day.

On motion of Hollis of Black Hawk, Lichty of Black Hawk was excused for the day.

Parsons of Calhoun moved the roll be called to ascertain the presence of a quorum.

Motion prevailed.

Those present were:

Aiken	Gilbert	Matthiesen	Scott of
Anderson of	Gilbertson	Miller	Appanoose
Webster	Graham	Napier	Scott of Fremont
Blake	Grimwood	Noble	Slemmons
Blume	Hattendorf	Oliver	Smith of
Bradley	Hauge	Olson	Chickasaw
Brady	Healy	Ontjes	Smith of Lucas
Brittain	Held	Orr	Stock
Carter	Hempel	Parsons	Stookesberry
Children	Henderson	Patterson	Storey
Clark	Hollis	Peterson	Strippel
Cole	Huff	Quirk	Ulstad
Donhowe	Johnson	Rankin	Venard
Dooley	Letts	Rassler	Wamstad
Doolittle	Long	Rust	Wilson
Dotts	Lovrien	Sampson	Wolfe
Edge	McClune	Saunders	Yenter
Fackler	Mathews	Schirmer	Mr. Speaker—70
Forsling			

Those absent were:

Berry	Garber of Adair	Lake	Ramsey
Buffington	Garber of Floyd	Leonard	Rewoldt
Colbert	Gesman	Lichty	Rhinehart
Criswell	Gibson	Lieberknecht	Robson
Dewar	Gilmore	Moen	Rumley
Dilts	Hansen	Natvig	Schulte
Edson	Harrison	O'Donnell	Vincent
Elliott	Himebauch	Potts	Weber
Frahm	King	Powers	Williams—38
Gallagher	Knutson		

The roll call disclosed the presence of a quorum.

#### APPOINTMENT OF CODE SUPERVISING COMMITTEE

In accordance with the provisions of House File No. 289, the Speaker appointed the following members on the code supervising committee: Clark of Linn, Doolittle of Delaware and Harrison of Pottawattamie.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Graham of Wapello, House File No. 308, a bill for an act to legalize the acts and proceedings of the board of supervisors and other officers of the county of Wapello, in the state of Iowa, in relation to Cedar Creek drainage district number four. Wapello county, Iowa, with Senate amendments, found in

the House Journal of April 17th, was taken up and the amendments read and considered.

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

On the question "Shall the House concur?"

The ayes were:

Anderson of Webster	Graham Grimwood	O'Donnell Oliver	Scott of Appanoose
Blake	Hattendorf	Olson	Scott of Fremont
Blume	Hauge	Ontjes	Smith of Chickasaw
Bradley	Healy	Orr	Smith of Lucas
Brady	Hempel	Parsons	Stock
Brittain	Henderson	Patterson	Stookesberry
Carter	Huff	Peterson	Storey
Children	Johnson	Quirk	Strippel
Cole	Leonard	Rankin	Ulstad
Donhowe	Letts	Rassler	Venard
Dooley	Long	Rewoldt	Wamstad
Doolittle	Lovrien	Rhinehart	Wilson
Dotts	McClune	Rust	Wolfe
Edge	Mathews	Saunders	Yenter
Fackler	Matthiesen	Schirmer	Mr. Speaker—67
Forsling	Napier	Schulte	
Gilbert	Noble		

The nays were, none.

Absent or not voting:

Aiken	Gallagher	Himebauch	Potts
Berry	Garber of Adair	Hollis	Powers
Buffington	Garber of Floyd	King	Ramsey
Clark	Gesman	Knutson	Robson
Colbert	Gibson	Lake	Rumley
Criswell	Gilbertson	Lichty	Sampson
Dewar	Gilmore	Lieberknecht	Slemmons
Diltz	Hansen	Miller	Vincent
Edson	Harrison	Moen	Weber
Elliott	Held	Natvig	Williams—41
Frahm			

The House concurred in the Senate amendments to House File No. 308.

#### CONFERENCE COMMITTEE REPORTS CONSIDERED

The report of the conference committee on Substitute for Senate File No. 186, found in the House Journal of April 18th, was taken up and considered.

Doolittle of Delaware moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of	Hattendorf	Oliver	Scott of Fremont
Webster	Hauge	Olson	Slemmons
Blake	Healy	Ontjes	Smith of
Blume	Hempel	Orr	Chickasaw
Brady	Henderson	Parsons	Smith of Lucas
Brittain	Hellis	Patterson	Stock
Carter	Huff	Peterson	Stookesberry
Clark	Johnson	Powers	Storey
Cole	Leonard	Quirk	Strippl
Dooley	Letts	Rankin	Ulstad
Doolittle	Long	Rewoldt	Venard
Dotts	Lovrien	Rust	Wamstad
Edge	Mathews	Saunders	Wilson
Fackler	Matthiesen	Schirmer	Wolfe
Forsling	Miller	Schulte	Yenter
Gilbert	Napier	Scott of	Mr. Speaker—66
Graham	Noble	Appanoose	
Grimwood	O'Donnell		

The nays were, none.

Absent or not voting:

Aiken	Elliott	Held	Potts
Berry	Frahm	Himebauch	Ramsey
Bradley	Gallagher	King	Rassler
Buffington	Garber of Adair	Knutson	Rhinehart
Children	Garber of Floyd	Lake	Robson
Colbert	Gesman	Lichty	Rumley
Criswell	Gibson	Lieberknecht	Sampson
Dewar	Gilbertson	McClune	Vincent
Diltz	Gilmore	Moen	Weber
Donhowe	Hansen	Natvig	Williams—42
Edson	Harrison		

The report of the conference committee on Substitute for Senate File No. 186 and the amendments proposed by said conference committee were adopted.

The report of the conference committee on House File No. 213, found in the House Journal of April 18th, was taken up and considered.

Forsling of Woodbury moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of	Hauge	O'Donnell	Scott of Fremont
Webster	Healy	Oliver	Slemmons
Berry	Held	Olson	Smith of
Bradley	Hempel	Ontjes	Chickasaw
Brady	Henderson	Orr	Smith of Lucas
Brittain	Hollis	Parsons	Stock
Carter	Huff	Patterson	Stookesberry
Children	Johnson	Peterson	Storey
Cole	Knutson	Quirk	Strippel
Donhowe	Leonard	Rankin	Ulstad
Dooley	Letts	Rassler	Venard
Doolittle	Long	Rewoldt	Vincent
Dotts	Lovrien	Rust	Wamstad
Edge	McClune	Sampson	Wilson
Fackler	Mathews	Saunders	Wolfe
Forsling	Mathiesen	Schulte	Yenter
Gilbert	Miller	Scott of	Mr. Speaker—70
Graham	Napier	Appanoose	
Grimwood	Noble		

The nays were:

Blume	Clark	Hattendorf—3
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Absent or not voting:

Aiken	Frahm	Harrison	Powers
Blake	Gallagher	Himebauch	Ramsey
Buffington	Garber of Adair	King	Rhinehart
Colbert	Garber of Floyd	Lake	Robson
Criswell	Gesman	Lichty	Rumley
Dewar	Gibson	Lieberknecht	Schfirmer
Diltz	Gilbertson	Moen	Weber
Edson	Gilmore	Natvig	Williams—35
Elliott	Hansen	Potts	

The report of the conference committee on House File No. 213 and the amendments proposed by said conference committee were adopted.

The report of the conference committee on House File No. 277, found in the House Journal of April 18th, was taken up and considered.

McClune of Mahaska moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On motion of Scott of Fremont, Napier of Ringgold was excused until Tuesday.

Anderson of Webster moved the previous question.

Motion prevailed.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?" rule 18 was invoked.

The ayes were:

Anderson of Webster	Grimwood Hansen	Olson Ontjes	Scott of Appanoose
Bradley	Hattendorf	Orr	Scott of Fremont
Brady	Hauge	Patterson	Slemmons
Brittain	Healy	Peterson	Smith of
Cole	Hempel	Powers	Chickasaw
Dewar	Henderson	Quirk	Stock
Diltz	Hollis	Rankin	Stookesberry
Doolittle	Lake	Rewoldt	Storey
Edge	Letts	Rhinehart	Vincent
Forsling	Long	Sampson	Wamstad
Garber of Adair	Lovrien	Schirmer	Yenter
Gilbert	Matthiesen	Schulte	Mr. Speaker—51
Gilmore	O'Donnell		

The nays were:

Berry	Dooley	Leonard	Rassler
Blake	Dotts	McClune	Rust
Blume	Fackler	Mathews	Saunders
Carter	Gallagher	Miller	Smith of Lucas
Children	Graham	Noble	Strippel
Clark	Held	Oliver	Venard
Donhowe	Johnson	Parsons	Wilson—28.

Absent or not voting:

Alken	Gesman	Knutson	Ramsey
Buffington	Gibson	Lichty	Robson
Colbert	Gilbertson	Lieberknecht	Rumley
Criswell	Harrison	Moen	Ulstad
Edson	Himebauch	Napier	Weber
Elliott	Huff	Natvig	Williams
Frahm	King	Potts	Wolfe—29.
Garber of Floyd			

The report of the conference committee on House File No. 277 and the amendments proposed by said conference committee, having failed to receive a constitutional majority, were rejected.

#### CONSIDERATION OF BILL

Senate File No. 281, a bill for an act to amend, revise, and codify section sixty-three hundred forty-one (6341) of the compiled code of Iowa, relating to future estates, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Clark of Linn the amendments proposed by the committee, found in the Journal of April 17th, were adopted.

Mr. Clark moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Letts	Saunders
Anderson of	Gallagher	Long	Schirmer
Webster	Garber of Adair	Lovrien	Schulte
Berry	Gilbert	McClune	Scott of
Blake	Gilmore	Mathews	Appanoose
Blume	Graham	Matthiesen	Scott of Fremont
Bradley	Grimwood	Noble	Smith of
Brady	Hansen	Oliver	Chickasaw
Brittain	Hauge	Ontjes	Stock
Carter	Healy	Patterson	Storey
Children	Held	Powers	Strippel
Clark	Hempel	Quirk	Ulstad
Cole	Henderson	Rankin	Vincent
Diltz	Hollis	Rewoldt	Wamstad
Donhowe	Huff	Rhinehart	Wilson
Doolittle	Johnson	Rust	Yenter
Dotts	Lake	Sampson	Mr. Speaker—67
Fackler	Leonard		

The nays were:

Dooley	Parsons	Smith of Lucas	Venard—7
Orr	Rassler	Stookesberry	

Absent or not voting:

Buffington	Gesman	Lieberknecht	Potts
Colbert	Gibson	Miller	Ramsey
Criswell	Gilbertson	Moen	Robson
Dewar	Harrison	Napier	Rumley
Edge	Hattendorf	Natvig	Slemmons
Edson	Himebauch	O'Donnell	Weber
Elliott	King	Olson	Williams
Frahm	Knutson	Peterson	Wolfe—34
Garber of Floyd	Lichty		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 90, 316 and 323.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 90, 316 and 323.

## HOUSE FILE WITHDRAWN

On request of Gilbert of Marshall, unanimous consent having been obtained, House File No. 281 was withdrawn from further consideration by the House.

On motion of Doolittle of Delaware, Slemmons of Buchanan was excused for the remainder of the day.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this nineteenth day of April, 1924, sent to the Governor for his approval:

House Files Nos. 90, 316 and 323.

C. F. LETTS, *Chairman*.

Report adopted.

## SPECIAL ORDER MADE

On request of Hauge of Polk, unanimous consent having been obtained, House File No. 14 was made a special order for Tuesday, April 22d, at 10:00 a. m.

## MOTION TO RECONSIDER FILED

The following motion to reconsider was filed:

MR. SPEAKER: I move to reconsider the vote by which the conference committee report on House File No. 277 failed of adoption.

J. C. McCLUNE.

I second the motion.

C. F. CLARK.

## 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 amendments proposed on House File No. 213, relating to marriage.

Also, that under the provisions of House File No. 289, the President has appointed as members of the joint code supervising committee on the part of the Senate, Senators Smith and Dutcher.

Also, that the President has appointed as members of a conference committee on the part of the Senate, on Senate File No. 121, relating to county, road, bridge, and culvert system, Senators Scott, Wichman, Caldwell, and Johnston.

Also, that the Senate has adopted the report of the conference committee and concurred in the amendments proposed on Senate File No. 7, relating to certain duties of the governor.

Also, that the Senate insists on its amendments to House File No. 261 and requests a conference committee. The President has appointed as members of such committee on the part of the Senate, Senators Newberry, Shaff, Cessna, and Snook.

LEON W. AINSWORTH, *Secretary.*

#### APPOINTMENT OF CONFERENCE COMMITTEE

As a conference committee on House File No. 261, the Speaker appointed the following members on the part of the House: McClune of Mahaska, Hansen of Scott, Patterson of Kossuth and Williams of Montgomery.

Pursuant to motion duly made and carried, the following remarks, made under date of April 18th, were ordered printed in the Journal:

#### REMARKS OF HON. JAMES H. TREWIN

**MR. SPEAKER AND GENTLEMEN OF THE HOUSE:** Having labored with you for nigh unto four months and having renewed many of my old acquaintances in the state and made many new ones, and I believe and hope many new friends, it is a great pleasure and satisfaction to me to be called to say a few words of adieu to you.

Code revision this time has passed through many vicissitudes. I remember five years ago this last March that the chief justice of the supreme court sent me a telegram indicating that he wanted to see me in regard to entering upon the work as a code commissioner, and as always when a call to public duty has come to me, I have responded. On arriving I was shown the bill enacted by the legislature, and then I said to the chief justice, and later to the governor, that in my judgment the code would not and could not be revised at a regular session. We fondly anticipated, according to the promise, that a special session would be called on two different occasions, and finally it fell to the lot of the Fortieth General Assembly to solve the problem. I understand that before your adjournment at your regular session you took the matter up with the governor and had an understanding. It is said that "hope long deferred maketh the

heart sick," but I say that so far as I am concerned I never doubted that, notwithstanding politicians and lobbyists and detractors, the code of Iowa would be revised as it now has been done.

Now, code revision for the making of a code is no new thing in Iowa. It may be new to some of you. We tried to make it as simple and as plain as we could. It is an intricate subject in Iowa and it has been more or less difficult for laymen to get hold of the work to understand the matter, and yet when this code is out, if you will take it and compare it with the laws in existence prior to the work of this code commission and your ratification and improvement of that work, you will be convinced and convince anybody with whom you may have occasion to discuss the subject, that the code of 1924 is the best code that was ever made in the state of Iowa, and it will be one of the best codes that exists in the union.

I want to congratulate you upon another thing in connection with this work. You entered upon the work with a determination to see it through. It has taken you longer than I thought it would, or than you anticipated, but you have not confined yourselves wholly to code revision—you have entered upon a consideration of several very important measures of great interest to the people of the state of Iowa, and this does you credit.

It was an enormous satisfaction to me to sit in this chamber a few moments ago and see the red lights on the board on this budget bill. I have lived with that bill for days and weeks and studied it, and it has been my privilege to assist, not only the committees, but the conference committees in their consideration of the subject, and if I were a member of this House or the Senate, it would be one of the greatest satisfactions to me that I could have if I had voted for it, and I am not here to criticize. Your record is made, and I think I am justified in expressing to you on this occasion my convictions upon that subject.

You have discussed some very important matters. The eugenics bill has gone back to the old law, but the discussion this winter has been highly educational and it is worth something, and I want to say to you, and I want you to read and think about it in the years to come, that if we are to maintain our civilization and the high order of intelligence of our people we must do something of this kind and stop reproduction of criminals and imbeciles, and not fill our insane asylums and our prisons with those who never should have been born. I am serious about this. It has passed out of your consideration, and you will pardon my views on this subject after a long study of it and from a standpoint which I believe to be for the public welfare, and I think if I could look ahead in imagination for 150 years in the history of America, that unless we do something of that kind we will be in a much worse condition than we are now in in regard to many problems that come up. The danger of our republic lies, not in intelligence, lies not in outside attack, but it lies in the possible and probable insidious ever-working influence of the unfit, the incompetent and the criminals that are among us.

I said that code revision is no new thing, and perhaps you will pardon me if I call your attention a few moments to a very old code enacted about five thousand years ago. It is called the Code of Hammurabi. Hammurabi was the king of Shinar in the land of Sumer and Accad. This code was

chiseled in tablets of stone and set up in the principal cities of that kingdom so that the people might know what the laws were. One of these tablets was found in Susa about three hundred years after the death of that king whose kingdom had been conquered by the Elamites, and it has been translated and I want to read to you two or three sections, as you will be interested to know how they made their laws, how they were expressed, and the subjects. And I commend this to my friends of the farm bureau, my co-members of the farm bureau, if you please:

"If any man rent a field for cultivation and do not produce any grain in the field, they shall call him to account, because he has not performed the work required in the field, and he shall give to the owner of the field grain on the basis of the adjacent fields."

Now, that would apply pretty well to some of our tenants, and while it might not be enacted into law, it is a pretty good principle to lay before them. Five thousand years ago there were intelligent people and they made laws.

"If a man rent his field to a tenant for crop rent and receive the crop rent of his field and later Adad, the Storm God, mundeate the field and carry away the produce, the loss falls on the tenant."

That is too severe for the tenant and I would not expect to hold him to that.

"If any gardener do not plant the whole field, but leave a space waste, they shall assign him the waste space to his portion."

"If a man point the finger at a priestess or the wife of another and cannot justify it, they shall drag that man before the judges and they shall brand his forehead."

"If a man take a wife and do not arrange with her the proper contracts, that woman is not a legal wife."

Here you note the provision with regard to the solemnization of marriage back in those times. The law today is, that if a man and a woman live together as husband and wife, it constitutes what is called a common law marriage. Now there is one other for the women:

"If a wife have not been a careful mistress, have gadded about, have neglected her house and belittled her husband, they shall throw that woman into the water."

Of course, there have been codes and codes. Several hundred years before the advent of the Prince of Peace upon this earth, the people in the ancient kingdoms of Greece and Rome made several codes, and among them was one called the Code of Lycurgus. This is written down in history as the first socialistic code. And then following another which was along that same line, called the Draconian Code; and then a number of Roman and Germanic codes, but the modern codes begin really with the Code of Frederick the Great of Prussia in 1751. Then follows the greatest of all codes of all times, the Code of Napoleon, issued in 1804. That Code Napoleon has had an enormous influence on the laws of all the world, you may say, but particularly, all the South American and the continental countries of Europe, and even the Germanic code that followed. By the way, just prior to the World War, the Germans had worked out a

code, and I have had the pleasure of seeing a copy of it, but we have not seen or heard much about it since.

The Code Napoleon is substantially in effect in the state of Louisiana, and has had an effect upon the laws of several other states. Napoleon was banished to the island of St. Helena, and after the retrospect of a career unequalled and unsurpassed by any man that ever lived, he said: "My true glory is not in having won forty battles; Waterloo will blot out the memory of those victories, but nothing can blot out the memory of my civil code. That will live eternally."

I cannot pass without offering into this record what I deem to be a definition of a code. A genuine code may be defined as a systematic and complete body of the substantive and adjective law of a state or country, expressed in clear and concise language.

Your code commission looked over the laws of the state of Iowa and picked out such ones as they believed needed codification, and they wrote them into a series of bills and offered you every assistance within their power in putting in references and notes at the bottom of each section of the bill so that you could find what changes were proposed or made, if any, and you have taken up this work and you have done it. What a privilege to have a part in such a work as this. I consider it a privilege, and although the time I have spent might have brought me more dollars, it has brought me that which gives satisfaction in having joined with you and having helped in some way, sometime, somewhere, somebody to come to a better understanding of what we are about and have come to a better understanding of the aspirations of the code commission, of the position the code commission took in regard to this work, which was neither to offer nor to favor anything in our laws which we did not believe was for the best interests of the people whom you represent and of the people we represent through the call which came from the general assembly to us to perform this work.

I suppose I am the only man living or that ever did live in the state of Iowa that had the privilege of passing through two code revisions. Thirty years ago I sat in seat 92 and about the third day of the session—I suppose some might have said a presumptuous youth—I offered a bill for the codification of our statutes, which resulted in the Code of 1897. I have followed it and have loved the work and I was proud when we had that code out, and I was prouder still when that code was received by the people of the state with commendation and satisfaction. It has served you long and well, but the state has grown; new problems and new influences have arisen and many laws put on the statute books—some of them not drawn as well as they might have been, and much confusion existed, and here came the call for the code of 1924. I look back on this with pleasure and satisfaction. Once in a while I meet some old fellow who was serving in the same capacity then that I was. To me the work that you have done has improved the work of the code commission. You have done things in the way of amendments and improvements in these laws, many of which we saw, but which we refrained from presenting to you in the fear that you would think we were transcending our authority and recommending too many things. We did take pains in indicating where we

inserted something new in the way of changes, and sometimes those new things did not appeal to you and they were dropped out, which was proper, but you did not stop with that. When you went out and took these laws up in your committee rooms and studied them, and where believing you could improve them, you have performed your duty, and the people of this state owe the members of the Fortieth General Assembly a debt of gratitude for the work you have done.

Now I have occupied perhaps too much time, and only a word personally. I shall cherish all the remaining days of my life the friendships formed here. I have met with many of your committees; I have come in contact with a coterie of young lawyers of your judiciary committee and its eminent chairman, and I have a feeling of affection for those members of my profession and a high regard for the way they have performed their duty in committee and on the floor. They are the coming men in the profession in which I have spent 42 years and I am delighted to see them come out. I have been glad to come in contact with my farm friends, and many a conversation has helped to enlighten me in the operation of my own farm, and the farmers do have problems and they are serious, and we must put to the solution of those problems our best intelligence, our best judgment, only being careful not to be led away by sham reformers and by demagogues, but by going to the heart of things and trying to solve them by free-born Americans who cultivate the soil and who love their country. I have met others in this chamber and I have learned to respect all of you, and those in closest contact I have learned to have a stronger feeling than mere respect—one of genuine friendship. And now I lay down this work of a lifetime, you may say, because in all the years, I have never lost sight of the importance of having our laws expressed in simple and plain language and printed in such a way that the people may read and may understand. It is a gratification to me to come and express to you my hearty good will and my feeling of gratitude for the confidence you have shown in me and for the compliment that you have conferred in asking me at the end of a hard busy day in taking a few minutes of your time and giving you briefly and sketchily some of my ideas. Gentlemen and Mr. Speaker, I thank you.

#### REMARKS OF HON. C. F. CLARK

MR. SPEAKER AND GENTLEMEN OF THE HOUSE: With your permission I desire to express in a few brief words the appreciation which I feel, and which I know every member of this House feels for my distinguished constituent, Senator Trewin, who has kept Cedar Rapids and Linn county upon the legislative map during this session. I believe that I have a more intimate and personal knowledge than any member of the House of the conscientious and laborious work which Senator Trewin has given to code revision. I know that for more than five years this subject has been uppermost in his thoughts. I have talked with him about it in his office, in my office, at the lunch table and the dinner table, and upon the streets, as well as here in the city of Des Moines, and I know that his supreme desire has been that he might be of assistance in the development and preparation of the code of 1924, and thus supplement his work

as a member of the General Assembly and as chairman of the code supervising committee in 1897.

There are only 13 of us who started out as members of the House in the Thirty-eighth General Assembly upon the work of code revision, and it has been my privilege in four sessions to be a member of all of the committees that have had charge of this work, beginning with the judiciary committee of the Thirty-eighth which passed out the original bill providing for code revision. And even a year before that, upon the death of my predecessor, Senator Trewin urged me to accept the nomination from the county convention because in his opinion the time was then ripe for code revision and that it would be worth while for a lawyer to have a part in this work. I am glad that the end is in sight, although I have often been told that I might be relying too much upon the continuity support of my constituents if I expected to remain in the legislature until the job was completed.

During all of these years Senator Trewin has been hopeful and helpful, regardless of delays and obstacles. He has held the belief that the code would be revised, that the legislature would prepare for the people of Iowa a code that would be surpassed by none. And now we rejoice with him as we see the accomplishment and reward of his labors and hopes. One of the first things I suggested at the beginning of this session was that Senator Trewin and his colleague, Judge Mabry, should be asked to meet with, advise and assist us. This suggestion was met with suspicion and distrust and opposition on the part of some members of the House, but I know that there are none of them now but what agree with me that his assistance has been most beneficial. We have had the aid of his mature counsel and advice. He has met with us in our committees. He has prepared and drafted amendments without number, together with committee reports and conference committee reports whenever we have sought his assistance, and in this way he has placed the mark of his learning, his ripe experience and his ability upon the code which we are completing.

I know that whenever we think of the extra session of the Fortieth General Assembly and of the Code of 1924, that we will always think of the genial and helpful personality of Senator Trewin—of the stories and anecdotes with which he entertained us during the evenings as we grouped ourselves about him in the Savery lobby, of his going in and out of the House chamber and the committee rooms, meeting with us in conference, never tiring, giving explanations and rendering assistance whenever requested, and without disparagement of the work done by his eminent associates, Judge Mabry and Code Editor Whitney, I believe we can truthfully say that no one man has assisted more or to a greater extent impressed his personality upon the Code of 1924.

#### REMARKS OF HON. W. C. CHILDREN

**MR. SPEAKER AND GENTLEMEN OF THE HOUSE:** It gives me great pleasure at this time to say a few words in farewell to Senator Trewin. Do not misunderstand me, it is not that I am anxious to sever the pleasant relations which we have had with the senator in the past few months.

Perhaps, I might express the thought better by quoting the words of the immortal Brutus, as reported by the eminent war correspondent, Mr. William Shakespeare, "Not that I love Trewin less, but that I love home more."

I believe that the fact that Senator Trewin is leaving us proves that we are now indeed nearing the end of the session. From my knowledge of Senator Trewin, I am convinced that he is too conscientious and able a sailor to desert the ship of code revision while there is yet danger of ship wreck. That while we may not yet be anchored to pier of complete code revision, that we must be at least within the harbor and beyond the danger of storms and tempests or the pilot would not leave the ship.

If the men of the House will recall the bill files which ornamented their desks on the closing days of the 39th and 40th regular sessions, bill files, perhaps one-half as large as the one upon our desks today and consider that probably not one out of four bills appearing in those files were enacted into law, while practically everything in the files which you have today has been or must be enacted before we leave, one will have some comprehension of the amount of work that has been done in this extra session.

We, of the 40th special session have fallen heir to an immense job. It was our task to revise and codify a mass of statute much larger than the entire code of '97 and to bring it all into one unified code of law for the state.

When we faced this task in the early days of the session, many of us had heard rumors of jokers in the bills. I wish personally to amend this rumor, the jokers were not in the bills, but there was one jolly old joker on the commission, Senator Trewin, who has by his genial disposition and unflinching fund of good stories, almost as much as by his outstanding ability and real knowledge of the matter in hand, kept us to our work and jollied us through the long days of code revision by maintaining the morale of the assembly.

The work that we have accomplished, in my judgment would have been impossible without the excellent preparatory work of Senator Trewin and his co-workers on the code commission. In my judgment, it would have been almost equally impossible to have completed the work in as good form as I think has been accomplished without their assistance from day to day during the work of the session.

As we look back over the work, we realize that few, if any of us have gotten all that we wanted, but I am optimist enough to believe that most of us have gotten about all that was good for us.

Much, very much of the credit for the work we have done belongs to Senator Trewin. I want the entire House to join me in the spirit expressed in the classical quotation, "For he is a jolly good fellow," which nobody can deny.

## REMARKS OF HON. JOHN P. GALLAGHER

MR. SPEAKER AND GENTLEMEN OF THE HOUSE: It may not be out of place here for me to add a few words of appreciation to those so well and fittingly spoken by the gentlemen preceding.

To all of us who have had either little or much to do with Code Revision, there is one fact from which there is no escape and that is the wonderful help or guidance furnished by the able and fair-minded code commissioners. Theirs was the Herculean task, and how well it has been done, how faithfully and impartially performed, cannot but meet and merit the plaudits of every citizen of Iowa, be that citizen a layman or a lawyer or a member of any of the other learned professions.

It might be of interest here if I relate a personal estimate that I had long entertained of Senator Trewin. I had never met him until the Fortieth General Assembly, but for many years previous to this meeting I read in public print frequent references to him as they recited his activities in civic or professional life. From these activities I drew a mental picture of him. He appeared to me as a tall, slender, intellectual looking fellow immaculately dressed, even to the wearing of a flashy tie. He was to me a veritable Beau Brummel, and when one day he appeared in the Fortieth General Assembly, I asked someone who it was and when the answer came, "Why, that's Senator Trewin," I felt humiliated when I saw my long time favorite picture broken and scattered to the four winds. Later I learned to know him, to know him well. Frequently I enjoyed his sparkling conversation, his interesting recital of narratives of incidents with which he was personally connected, and from all these I learned that here was a character that was outstanding in integrity and fearlessness; more than once I foolishly "blew into him" to see if he was loaded—and he always was. It takes a brave man to look the devil in the face and tell him that he is a devil, and this is the type of bravery which Senator Trewin always displays. His genial wit, his ready repartee, and his ability to smash an argument with one clear out sentence always appealed to me as qualities belonging only to the man of integrity, the man of strong and rugged character.

His work as a code commissioner cannot be forgotten. He was always at the beck and call of any member of the assembly and the patience he displayed with members who had little or no knowledge of the law marked him as a gentleman of the finest quality. For me to attempt here to add to his ability as a jurist would be as vain or futile as would be an attempt to gild refined gold, to paint the lily or to add a hue to the violet; his fame and ability stand forth like a beacon light in the whole realm of midwest jurisprudence.

Among the delightful memories of my term in the Iowa legislature, none will stand out brighter or grow increasingly in endearment than will those involving my associations with Senator Trewin. His work here was unselfish, his knowledge and ability always accessible and no matter beneath what sun or upon what strange paths my future steps may lead, I will always remember him with kindness, and I have expressed the heartfelt wish that Iowa may long enjoy the benefits that must accrue

from his broad legal knowledge and his outstanding qualities of citizenship.

#### REMARKS OF HON. WARD B. SMITH

MR. SPEAKER AND GENTLEMEN OF THE HOUSE: Probably I have known Senator Trewin longer than any member of the House. I knew him as a boy fifty-two or three years ago, sitting in the next seat at school. I watched his work as a school boy, later as a farm hand and teamster. Indirectly I have watched his work as a lawyer, a representative, a senator and as a member of the code commission. I have always thought he took his work seriously and conscientiously, and I am sure that we are all glad at this time to call Senator Trewin our friend.

#### REMARKS OF HON. CLYDE H. DOOLITTLE

MR. SPEAKER AND GENTLEMEN OF THE HOUSE: It is with some sense of personal gratification that I arise at this time to pay a well deserved tribute to Senator Trewin. The senator is in some respects a constituent of mine. For several years when he was a young man, he taught school in Delaware county. At the present time he owns a number of farms in that county. When I am home, I frequently find him sitting across the table from me as opposing counsel in the trial of suits. I have known the senator since I was the age which my own boy has now reached. Ever since I was a little boy I can remember him, and whatever I have been able to accomplish in life so far has been largely the result of his splendid advice and counsel and his kindly interest in me.

As he has told you, this work of code revision has been his life work, and the people of Iowa have known that, due more to his efforts than those of any other man, the code of 1897 was presented to the people in its splendid form. When that volume was about to be superseded, the governor of the state of Iowa and the chief justice of the Supreme Court of Iowa united in calling to the work the one man who had had the greatest experience along that line, Senator Trewin. His work is now finished, and the code of 1924 when it is issued, will be his crowning life achievement. We know and realize that what he has told us is true and that it will be the finest code in all America. In fact, his experience has been such that I can not quite understand how King Hammurabi, the Emperor Justinian, and even Napoleon himself were able to turn out their codes without the senator's assistance.

We all remember the stories in the press, and those circulated by men who would detract of how the report of the code commission was filled with jokers and provisions favoring certain interests which had been inserted by the code commission. Happily, though I had not examined the report. I knew that such rumors were false for it was the work of my friend, Senator Trewin, whose character and worth gave the report sufficient standing in my mind to remove any doubts.

His greatest work this session, however, to my mind is along a line which will never be known by the people of Iowa. We all know how often in the pride of opinion, the heat of debate and the clashing of per-

sonalities we become so fixed in our notions upon a certain bill that the bill under discussion must certainly fail for want of compromise. It has happened during this session, but always the senator's friendly and kind interest, his genial personality and his courage of opinion have brought the warring factions together, and resulted in conciliation and compromise, and thus saved the bill for the people of Iowa.

In this work of conciliation, he has accomplished far more than all of us in our united efforts, and so now, his work finished, he is able to leave us for his home city to settle down to the cares of business once more. It may be that in future assemblies we will need him, and so we do not say "goodby" but rather "adieu." May God bless him and may he have some realization of the esteem in which we hold him, and the gratitude that we feel for his kindly interest in us and the great work he has accomplished for the state of Iowa.

#### REPORTS OF COMMITTEE

Clark of Linn, from the committee on judiciary, filed the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 322, a bill for an act to legalize a special election held on the 31st day of March, 1924, in the city of Valley Junction, Iowa, whereat there was submitted to the voters the proposition of the issuance of bonds of said city of Valley Junction in the sum of twenty thousand dollars (\$20,000.00), for the purpose of extending the water works system owned and operated by said city; and to legalize all acts and proceedings in respect to said election and said bonds and to authorize the issuance of twenty thousand dollars (\$20,000.00) water works bonds 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.

C. F. CLARK, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 323, a bill for an act authorizing the issuance of a patent to certain lands in Jasper 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.

C. F. CLARK, *Chairman.*

Passed on file.

Also:

MR. SPEAKER: Your committee on judiciary to whom was referred House File No. 327, a bill for an act to authorize the issuance of a patent to certain lands in Clayton 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.

C. F. CLARK, *Chairman*.

Passed on file.

On motion of Smith of Lucas the House adjourned until 10:00 a. m. Monday.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 21, 1924.

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

Prayer was offered by the Rev. A. Norrbom, pastor of the First Lutheran church, Des Moines.

Journal of April 19th corrected and approved.

## LEAVE OF ABSENCE

On motion of Brady of O'Brien, King of Clay and Quirk of Sac were excused for the day.

On motion of Dooley of Van Buren, Miller of Shelby was excused for the day.

On motion of Strippel of Benton, Stock of Allamakee was excused for the day.

On motion of Parsons of Calhoun, Hattendorf of Osceola was excused for the day.

On motion of Schulte of Worth, Yenter of Johnson was excused for the day.

On motion of Schirmer of Jackson, Knutson of Cerro Gordo was excused indefinitely, on account of illness.

On motion of Fackler of Adams, Forsling of Woodbury was excused for the day.

On motion of Orr of Keokuk, Huff of Cass and Rassler of Pocahontas were excused for the day.

On motion of Storey of Warren, Buffington of Mills was excused until Wednesday.

On motion of Schirmer of Jackson, McClune of Mahaska was excused for the day.

On motion of Wamstad of Mitchell, Himebauch of Emmet was excused for Monday and Tuesday.

On motion of Hollis of Black Hawk, Lichty of Black Hawk was excused for the day.

On motion of Rewoldt of Bremer, Leonard of Taylor was excused for the day.

#### REPORTS OF COMMITTEE ADOPTED

The report of the committee on judiciary on Senate File No. 323, recommending passage and found in the Journal of April 19th, was taken up for consideration.

On motion of Clark of Linn the report was adopted.

The report of the committee on judiciary on House File No. 327, recommending passage and found in the Journal of April 19th, was taken up for consideration.

On motion of Clark of Linn the report was adopted.

The report of the committee on judiciary on Senate File No. 322, recommending passage and found in the Journal of April 19th, was taken up for consideration.

On motion of Clark of Linn the report was adopted.

#### CONSIDERATION OF BILLS

House File No. 327, a bill for an act to authorize the issuance of a patent to certain lands, in Clayton county, Iowa, with report of committee recommending passage, was taken up for consideration.

Hempel of Clayton moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Brittain	Doolittle	Gallagher
Webster	Carter	Dotts	Gibson
Berry	Children	Edge	Gilbert
Blake	Dewar	Edson	Gilbertson
Blume	Diltz	Elliott	Gilmore
Brady	Dooley	Fackler	Graham

Grimwood	Matthiesen	Schirmer	Strippel
Harrison	Noble	Schulte	Ulstad
Hauge	O'Donnell	Scott of	Vincent
Healy	Parsons	Appanoose	Wamstad
Held	Patterson	Scott of Fremont	Weber
Hempel	Peterson	Slemmons	Wilson
Henderson	Potts	Smith of	Wolfe
Hollis	Powers	Chickasaw	Mr. Speaker—63
Letts	Rankin	Smith of Lucas	
Long	Robson	Stookesberry	
Mathews	Sampson	Storey	

The nays were:

Saunders—1

Absent or not voting:

Aiken	Gesman	Lieberknecht	Quirk
Bradley	Hansen	Lovrien	Ramsey
Buffington	Hattendorf	McClune	Rassler
Clark	Himebauch	Miller	Rewoldt
Colbert	Huff	Moen	Rhinehart
Cole	Johnson	Napier	Rumley
Criswell	King	Natvig	Rust
Donhowe	Knutson	Oliver	Stock
Forsling	Lake	Olson	Venard
Frahm	Leonard	Ontjes	Williams
Garber of Adair	Lichty	Orr	Yenter—45
Garber of Floyd			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 322, a bill for an act to legalize a special election held on the 31st day of March, 1924, in the city of Valley Junction, Iowa, whereat there was submitted to the voters the proposition of the issuance of bonds of said city of Valley Junction in the sum of twenty thousand dollars (\$20,000.00), for the purpose of extending the waterworks system owned and operated by said city; and to legalize all acts and proceedings in respect to said election and said bonds and to authorize the issuance of twenty thousand dollars (\$20,000.00) water works bonds of said city, with report of committee recommending passage, was taken up for consideration.

Diltz of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Elliott	Mathews	Scott of Fremont
Webster	Fackler	Matthiesen	Slemmons
Berry	Gallagher	Noble	Smith of
Blake	Gibson	O'Donnell	Chickasaw
Blume	Gilbert	Oliver	Smith of Lucas
Brady	Gilmore	Ontjes	Stookesberry
Brittain	Graham	Parsons	Storey
Carter	Grimwood	Patterson	Strippel
Children	Harrison	Peterson	Ulstad
Clark	Hauge	Potts	Venard
Cole	Healy	Powers	Vincent
Dewar	Held	Robson	Wamstad
Diltz	Hempel	Sampson	Weber
Doolittle	Henderson	Saunders	Willson
Dotts	Hollis	Schirmer	Mr. Speaker—63
Edge	Letts	Scott of	
Edson	Long	Appanoose	

The nays were, none.

Absent or not voting:

Aiken	Gilbertson	Lieberknecht	Rankin
Bradley	Hansen	Lovrien	Rassler
Buffington	Hattendorf	McClune	Rewoldt
Colbert	Himebauch	Miller	Rhinehart
Criswell	Huff	Moen	Rumley
Donhowe	Johnson	Napier	Rust
Dooley	King	Natvig	Schulte
Forsling	Knutson	Olson	Stock
Frahm	Lake	Orr	Williams
Garber of Adair	Leonard	Quirk	Wolfe
Garber of Floyd	Lichty	Ramsey	Yenter—45
Gesman			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 323, a bill for an act authorizing the issuance of a patent to certain lands in Jasper county, Iowa, with report of committee recommending passage, was taken up for consideration.

Edge of Jasper moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Brady	Dewar	Edge
Webster	Brittain	Diltz	Edson
Berry	Carter	Dooley	Elliott
Blake	Children	Doolittle	Fackler
Blume	Cole	Dotts	Forsling

Gallagher	Letts	Rhinehart	Storey
Gibson	Long	Robson	Strippel
Gilbert	Mathews	Sampson	Ulstad
Gilbertson	Matthiesen	Saunders	Venard
Graham	O'Donnell	Schirmer	Vincent
Grimwood	Oliver	Schulte	Wamstad
Harrison	Ontjes	Scott of	Weber
Healy	Parsons	Appanoose	Wilson
Held	Patterson	Scott of Fremont	Wolfe
Hempel	Peterson	Slemmons	Mr. Speaker—66
Henderson	Potts	Smith of	
Hollis	Powers	Chickasaw	
Lake	Rankin	Stookesberry	

The nays were, none.

Absent or not voting:

Aiken	Gilmore	Lieberknecht	Quirk
Bradley	Hansen	Lovrien	Ramsey
Buffington	Hattendorf	McClune	Rassler
Clark	Hauge	Miller	Rewoldt
Colbert	Himebauch	Moen	Rumley
Criswell	Huff	Napier	Rust
Donhowe	Johnson	Natvig	Smith of Lucas
Frahm	King	Noble	Stock
Garber of Adair	Knutson	Olson	Williams
Garber of Floyd	Leonard	Orr	Yenter—42
Gesman	Lichty		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### REPORTS OF COMMITTEE

Hauge of Polk, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 319, a bill for an act to make appropriations for the payment of state and other expenses, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. O. HAUGE, *Chairman*.

Report adopted.

Also:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 324, a bill for an act to make an emergency appropriation for 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 do pass.

A. O. HAUGE, *Chairman*.

Report adopted.

## CONSIDERATION OF BILLS

Senate File No. 319, a bill for an act to make appropriations for the payment of state and other expenses, with report of committee recommending passage, was taken up for consideration.

Hauge of Polk offered the following amendment and moved its adoption:

Amend Senate File No. 319 by renumbering section 12 as section 13 and inserting the following as section 12:

"Sec. 12. To T. C. Cessna, C. F. Letts and John Hansen, ten dollars (\$10.00) each, for expenses and transportation in the investigation and inspection of the Willets farm, as provided by Senate Concurrent Resolution No. 17."

Amendment adopted.

Hauge of Polk offered the following amendment and moved its adoption:

Amend Senate File No. 319, section 10, line 3, by striking out the words and figures "one thousand dollars (\$1,000.00)" and inserting in lieu thereof the words and figures "two thousand dollars (\$2,000.00)".

Amendment adopted.

Hauge of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Elliott	Lake	Schirmer
Anderson of	Fackler	Letts	Schulte
Webster	Gallagher	Lovrien	Scott of Fremont
Berry	Garber of Adair	Mathews	Slemmons
Blake	Gibson	Matthiesen	Smith of
Blume	Gilbertson	O'Donnell	Chickasaw
Bradley	Gilmore	Oliver	Stookesberry
Brady	Graham	Ontjes	Storey
Brittain	Grimwood	Orr	Strippel
Carter	Hansen	Peterson	Ulstad
Children	Harrison	Powers	Venard
Cole	Hauge	Rankin	Vincent
Dewar	Healy	Rhinehart	Wamstad
Dooley	Held	Robson	Weber
Doollittle	Hempel	Rumley	Wilson
Dotts	Henderson	Sampson	Wolfe
Edge	Hollis	Saunders	Mr. Speaker—67
Edson			

The nays were, none.

## Absent or not voting:

Buffington	Hattendorf	Miller	Ramsey
Clark	Himebauch	Moen	Rassler
Colbert	Huff	Napier	Rewoldt
Criswell	Johnson	Natvig	Rust
Diltz	King	Noble	Scott of
Donhowe	Knutson	Olson	Appanoose
Forsling	Leonard	Parsons	Smith of Lucas
Frahm	Lichty	Patterson	Stock
Garber of Floyd	Lieberknecht	Potts	Williams
Gesman	Long	Quirk	Yenter—41
Gilbert	McClune		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 324, a bill for an act to make an emergency appropriation for the department of agriculture, with report of committee recommending passage, was taken up for consideration.

O'Donnell of Dubuque moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Anderson of	Garber of Adair	Mathews	Schulte
Webster	Gibson	Matthiesen	Scott of Fremont
Blake	Gilmore	O'Donnell	Slemmons
Brady	Graham	Oliver	Smith of
Brittain	Grimwood	Ontjes	Chickasaw
Children	Hansen	Orr	Storey
Cole	Harrison	Parsons	Strippel
Dewar	Hauge	Patterson	Ulstad
Dooley	Healy	Peterson	Venard
Doolittle	Held	Powers	Vincent
Dotts	Hempel	Rankin	Wamstad
Edge	Henderson	Rewoldt	Weber
Edson	Hollis	Robson	Wilson
Elliott	Letts	Rumley	Wolfe
Fackler	Long	Saunders	Mr. Speaker—61
Gallagher	Lovrien	Schirmer	

## The nays were:

Blume                      Smith of Lucas.      Stookesberry. 3

## Absent or not voting:

Alken	Criswell	Gilbert	Knutson
Berry	Diltz	Gilbertson	Lake
Bradley	Donhowe	Hattendorf	Leonard
Buffington	Forsling	Himebauch	Lichty
Carter	Frahm	Huff	Lieberknecht
Clark	Garber of Floyd	Johnson	McClune
Colbert	Gesman	King	Miller

Moen	Potts	Rust	Williams
Napier	Quirk	Sampson	Yenter—44
Natvig	Ramsey	Scott of	
Noble	Rassler	Appanoose	
Olson	Rhinehart	Stock	

So the bill having received a constitutional majority was declared to have passed the House 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. 325, a bill for an act to correct cross references in certain sections of the code and supplement.

Also, that the Senate has amended and passed the following joint resolution in which the concurrence of the Senate was asked:

House Joint Resolution No. 7, providing for the publication of House File No. 100, an act relating to school districts, and House File No. 110, an act relating to school funds and bonds.

LEON W. AINSWORTH, *Secretary.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 153 and 313.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 153 and 313.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on April 19th, approved the following bills: House Files Nos. 114, 315, 322, 325, 316, 323 and 90.

## CONSIDERATION OF BILLS

Senate File No. 191, a bill for an act to amend, revise, and codify sections thirty hundred thirty-nine (3039), fifty hundred twenty-seven (5027) to fifty hundred thirty-three (5033), inclusive, and fifty hundred thirty-seven (5037) to fifty hundred forty-three (5043), inclusive, of the compiled code of Iowa, and section thirty hundred thirty-eight (3038) of the supplement to said code, relating to electric and other wires crossing railroad tracks and to electric transmission lines and franchises, with report of committee recommending passage, was taken up for consideration.

The following amendments filed by Gibson of Clarke were taken up and considered:

(1) Amend Senate File No. 191 by adding the following:

Sec. 29. Whenever public convenience requires the same, every telephone company, shall, for a reasonable compensation, permit a physical connection or connections to be made, and telephone service to be furnished between any telephone exchange system operated by it and the telephone toll line or lines operated by another company, or between its telephone toll line or lines and the telephone exchange system or another telephone company, or between its toll line and the toll line of another company, or between its toll line and the line of another telephone company whenever such physical connection or connections is practical and reasonable. The term "physical connection" as used in this section, shall mean such number of trunk lines or complete wire circuits and connections as may be required to furnish reasonable and adequate service between such telephone lines and exchanges and shall not be deemed to provide for any connection whereby one line or circuit is to be bridged upon another line or circuit. In case of failure of the telephone companies concerned to allow or agree upon such physical connection or connections, or the terms and conditions upon which the same shall be made, application may be made to the railroad commission by any person, partnership, or corporation, operating a telephone line or telephone exchange, or by one hundred (100) bona fide subscribers of an exchange affected thereby, for an order requiring such connection and fixing the compensation, terms and conditions thereof, and if after investigation and hearing the commission shall find that such physical connections are of public convenience and necessity, it shall by order direct that such connections be made, and prescribe reasonable conditions and compensation therefor and for the joint use thereof, and by whom the expense of making and maintaining such connection or connections shall be paid.

Sec. 30. Any companies required by order of the commission to provide for the physical connection of telephone lines and facilities, and to establish joint rates, tolls and charges, are hereby required to perform switching

service for the transmission of conversations between the lines and facilities operated by such company or companies without favor or discrimination. The company on whose line or lines conversations originate shall be responsible to and make settlement with the company or companies owning or operating the connecting or terminal line or lines for the share of said company or companies in the joint toll rate or charge for such message.

Sec. 31. Any order made by the railroad commissioners pursuant to the two preceding sections shall be enforced in the manner provided for the enforcement of the orders of the railroad commissioners. The right to appeal from any order made under the two preceding sections shall be the same as appeals taken from orders made by the railroad commissioners.

(2) Amend the title by striking out the period after the word "franchises" and substituting a semicolon therefor, and by adding the following: "also, giving the railroad commissioners authority to require physical connections between telephone lines and telephone exchanges, and to determine and fix the charges thereof, and share of tolls, and providing for right of appeal."

Mr. Gibson moved the adoption of the amendments.

On the question "Shall the amendments be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Gilbertson Graham	Ontjes Orr	Scott of Fremont Slemmons
Berry	Grimwood	Parsons	Smith of Chickasaw
Blume	Hansen	Patterson	Smith of Lucas
Brady	Harrison	Peterson	Stookesberry
Brittain	Healy	Potts	Storey
Carter	Held	Powers	Strippel
Children	Hempel	Rankin	Venard
Cole	Henderson	Rewoldt	Vincent
Dooley	Lake	Robson	Wamstad
Dotts	Long	Rumley	Weber
Edge	Lovrien	Saunders	Wilson
Edson	Mathews	Schirmer	Wolfe
Fackler	Matthiesen	Schulte	Mr. Speaker—62
Gallagher	Noble	Scott of Appanoose	
Gibson	O'Donnell		
Gilbert	Oliver		

The nays were:

Blake	Dilts	Hollis	Rhinehart—7
Dewar	Doolittle	Letts	

Absent or not voting:

Aiken	Criswell	Garber of Adair	Hauge
Bradley	Donhowe	Garber of Floyd	Himebauch
Buffington	Elliott	Gesman	Huff
Clark	Forsling	Gilmore	Johnson
Colbert	Frahm	Hattendorf	King

Knutson	Miller	Quirk	Stock
Leonard	Moen	Ramsey	Ulstad
Lichty	Napier	Rassler	Williams
Lieberknecht	Natvig	Rust	Yenter—39
McClune	Olson	Sampson	

The amendments by Gibson of Clarke were adopted.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File No. 191 by adding thereto as section 32 the following:

"Sec. 32. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines Capital and The Nonparell, newspapers published in Des Moines, Iowa, and Council Bluffs, Iowa, respectively."

Amendment adopted.

Rankin of Lee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Elliott	Lovrien	Schulte
Webster	Fackler	Mathews	Scott of
Berry	Gallagher	Matthiesen	Appanoose
Elake	Garber of Adair	Noble	Scott of Fremont
Blume	Gibson	O'Donnell	Slemmons
Bradley	Gilbert	Oliver	Smith of
Brady	Gilbertson	Ontjes	Chickasaw
Brittain	Graham	Orr	Smith of Lucas
Carter	Hansen	Parsons	Stookesberry
Children	Harrison	Peterson	Storey
Clark	Healy	Powers	Strippel
Cole	Held	Rewoldt	Venard
Dewar	Hempel	Rhinehart	Vincent
Dooley	Henderson	Robson	Wamstad
Doolittle	Hollis	Rumley	Webster
Dotts	Lake	Sampson	Wilson
Edge	Letts	Saunders	Mr. Speaker—67
Edson	Long		

The nays were:

Diltz—1

Absent or not voting:

Aiken	Forsling	Grimwood	Johnson
Buffington	Frahm	Hattendorf	King
Colbert	Garber of Floyd	Hauge	Knutson
Criswell	Gesman	Himebauch	Leonard
Donhowe	Gilmore	Huff	Lichty

Lieberknecht	Natvig	Ramsey	Stock
McClune	Olson	Rankin	Ulstad
Miller	Patterson	Rassler	Williams
Moen	Potts	Rust	Wolfe
Napier	Quirk	Schirmer	Yenter—40

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### MEMBERS OF CONFERENCE COMMITTEE EXCUSED

On request of Carter of Hardin, unanimous consent having been obtained, members of the conference committee on Senate File No. 121 were excused from the House for the remainder of the forenoon.

#### HOUSE FILES WITHDRAWN

On request of Hauge of Polk, unanimous consent having been obtained, House File No. 295 was withdrawn from the special committee of nine and from further consideration by the House.

On request of Gilbert of Marshall, unanimous consent having been obtained, House File No. 191 was withdrawn from further consideration by the House.

#### MOTION TO RECONSIDER

The motion to reconsider the vote by which the conference committee report on House File No. 277 failed of adoption was taken up for consideration.

On the question "Shall the vote be reconsidered?"

The ayes were:

Anderson of Webster	Garber of Adair	Mathews	Scott of Appanoose
Berry	Gibson	Matthiesen	Scott of Fremont
Brady	Gilbert	O'Donnell	Slemmons
Brittain	Gilbertson	Oliver	Smith of
Children	Gilmore	Ontjes	Chickasaw
Clark	Graham	Parsons	Smith of Lucas
Cole	Hansen	Powers	Stookesberry
Dewar	Harrison	Rankin	Storey
Diltz	Healy	Rewoldt	Strippel
Dooley	Held	Rhinehart	Venard
Doolittle	Hempel	Robson	Vincent
Dotts	Henderson	Rumley	Wamstad
Edge	Hollis	Sampson	Weber
Elliott	Lake	Saunders	Wilson
Fackler	Letts	Schirmer	Mr. Speaker—63
Gallagher	Long	Schulte	
	Lovrien		

The nays were:

Blume                      Noble                      Orr—3

Absent or not voting:

Aiken	Garber of Floyd	Lichty	Potts
Blake	Gesman	Lieberknecht	Quirk
Bradley	Grimwood	McClune	Ramsey
Buffington	Hattendorf	Miller	Rassler
Carter	Hauge	Moen	Rust
Colbert	Himebauch	Napier	Stock
Criswell	Huff	Natvig	Ulstad
Donhowe	Johnson	Olson	Williams
Edson	King	Patterson	Wolfe
Forsling	Knutson	Peterson	Yenter—42
Frahm	Leonard		

The House reconsidered the vote by which the conference committee report on House File No. 277 failed of adoption.

#### REPORT OF CONFERENCE COMMITTEE WITHDRAWN

On request of Garber of Adair, unanimous consent having been obtained, the report of the conference committee on House File No. 277 was withdrawn from further consideration by the House.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Venard of Sioux, House Joint Resolution No. 7, joint resolution providing for the publication of House File No. 100, an act relating to education—school districts, and House File No. 110, an act relating to education—school funds and bonds, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend by striking out the word "clause" as it appears in catch words to section 1 and substituting the word "authorized" therefor.

Also amend by adding as section 2 the following:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines News and the Iowa Forum, newspapers published in the city of Des Moines, Iowa.

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

On the question "Shall the House concur?"

The ayes were:

Anderson of Webster	Elliott Fackler	Letts Long	Saunders Schirmer
Berry	Gallagher	Mathews	Schulte
Blake	Garber of Adair	Matthiesen	Scott of Fremont
Blume	Gibson	Noble	Slemmons
Brady	Gilbert	O'Donnell	Smith of Lucas
Brittain	Gilbertson	Oliver	Stookesberry
Children	Gilmore	Ontjes	Storey
Clark	Graham	Orr	Strippel
Cole	Hansen	Parsons	Ulstad
Dewar	Harrison	Powers	Venard
Diltz	Healy	Rankin	Wamstad
Dooley	Hempel	Rewoldt	Weber
Dotts	Henderson	Robson	Wilson
Edge	Hollis	Rumley	Mr. Speaker—59

The nays were, none.

Absent or not voting:

Aiken	Grimwood	Lovrien	Rhinehart
Bradley	Hattendorf	McClune	Rust
Buffington	Hauge	Miller	Sampson
Carter	Held	Moen	Scott of
Colbert	Himebauch	Napler	Appanose
Criswell	Huff	Natvig	Smith of
Donhowe	Johnson	Olson	Chickasaw
Doolittle	King	Patterson	Stock
Edson	Knutson	Peterson	Vincent
Forsling	Lake	Potts	Williams
Frahm	Leonard	Quirk	Wolfe
Garber of Floyd	Lichty	Ramsey	Yenter—49
Gesman	Lieberknecht	Rassler	

The House concurred in the Senate amendments to House Joint Resolution No. 7.

#### 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. 281, a bill for an act relating to future estates.

Also, that the Senate has adopted the report of the conference committee and concurred in the amendments proposed therein on Senate File No. 186, a bill for an act relating to mill dams, races and water power improvements.

LEON W. AINSWORTH, *Secretary*.

#### INTRODUCTION AND CONSIDERATION OF BILL

Unanimous consent having been obtained, the following bill was introduced:

House File No. 328, by Rankin of Lee, a bill for an act to amend House File No. 307, acts of the Fortieth General Assembly, extra session, relating to the legalization of acts of Keokuk and Hamilton Bridge Company.

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

Section 1. That House File No. 307, acts of the Fortieth General Assembly, extra session, be amended by striking from line two (2) of section three (3) thereof, the words, "Mississippi river".

Sec. 2. Nothing in this act shall affect pending litigation.

Sec. 3. Publication clause. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Register, a newspaper published in the city of Des Moines and the Daily Gate City, a newspaper published in the city of Keokuk, said publication to be without expense to the state.

Read first and second times and taken up for consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third readings of a bill on the same day, Rankin of Lee moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?" rule 18 was invoked.

The ayes were:

Alken	Fackler	Mathews	Schulte
Anderson of	Gallagher	Matthiesen	Scott of Fremont
Webster	Garber of Adair	Noble	Slemmons
Berry	Gibson	O'Donnell	Smith of
Blume	Gilbert	Oliver	Chickasaw
Bradley	Gilbertson	Ontjes	Smith of Lucas
Brady	Graham	Orr	Stookesberry
Brittain	Hansen	Parsons	Strippel
Children	Harrison	Potts	Ulstad
Clark	Hauge	Powers	Venard
Cole	Healy	Rankin	Vincent
Dilts	Hempel	Rewoldt	Wamstad
Dooley	Henderson	Robson	Weber
Dotts	Hollis	Rumley	Wilson
Edge	Letts	Saunders	Mr. Speaker—61
Elliott	Long	Schirmer	

The nays were, none.

## Absent or not voting:

Blake	Gesman	Lichty	Ramsey
Buffington	Gilmore	Lieberknecht	Rassler
Carter	Grimwood	Lovrien	Rhinehart
Colbert	Hattendorf	McClune	Rust
Criswell	Held	Miller	Sampson
Dewar	Himebauch	Moen	Scott of
Donhowe	Huff	Napier	Appanoose
Doolittle	Johnson	Natvig	Stock
Edson	King	Olson	Storey
Forsling	Knutson	Patterson	Williams
Frahm	Lake	Peterson	Wolfe
Garber of Floyd	Leonard	Quirk	Yenter—47

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## SENATE MESSAGE CONSIDERED

Senate File No. 325, a bill for an act to correct cross references in sections forty-one hundred twenty-four (4124), forty-one hundred fifty-eight (4158), and forty-one hundred sixty-four (4164), of the compiled code of Iowa, and section fifty-seven hundred seventy-seven (5777) of the supplement to said code.

Read first and second times and referred to committee on judiciary.

## AMENDMENT FILED

Lovrien of Humboldt filed the following amendment to House File No. 14:

Amend House File No. 14 by striking from the title from lines (4) and (5), the words and figures: "two hundred seventy-two (272), and two hundred seventy-three (273)", and by inserting in the title in line (7) after the figures "(262)", the words and figures: "and section fifty-seven hundred forty-four (5744)".

Also, by striking from the subtitle in lines (4) and (5) the words and figures: "two hundred seventy-two (272) and two hundred seventy-three (273)", and by inserting in the subtitle in line (6) thereof, after the figures "(262)", the words and figures: "and section fifty-seven hundred forty-four (5744)".

Also, amend section 13 of the bill by adding at the end of line (3) the words "and director of the budget".

Amend section 15 by adding at the end thereof the words: "and the secretary of the council shall at once file a copy of such proceedings with the auditor and treasurer of state".

Also amend the bill by striking therefrom all of sections 32, 33, 34, 35, 36 and 37.

On motion of Elliott of Scott the House adjourned until 4:00 p. m. today.

### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 236

Doolittle of Delaware, from the conference committee on House File No. 236, submitted the following report:

**MR. SPEAKER:** Your conference committee to whom was referred the disagreement between the House and Senate on House File No. 236, a bill for an act to amend, revise and codify section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa, relating to estates of decedents, beg leave to report that they have had the same under consideration and submit the following recommendation:

- (1) That the House recede from its amendment to the bill.
- (2) That the Senate recede from its amendment to the bill.
- (3) That the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

That section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa is amended, revised and codified to read as follows:

Section 1. Within thirty days after his appointment, each executor or administrator shall file a verified list of the names, ages, relationship, and places of residence of the heirs of the deceased, and the name, age and residence of the surviving spouse, if any, together with an accurate description of all the real estate of which the deceased died seized.

Sec. 2. Each executor or administrator shall, in his final report, set forth:

1. An accurate description of all the real estate of which the decedent died seized, stating its nature and extent.
2. Whether the deceased died testate or intestate.
3. The name, age, and place of residence of the surviving spouse, or that none survived the deceased.
4. The name, age, and place of residence of each of the heirs and their relationship to the deceased.
5. The name, age, and place of residence of each legatee or devisee, and whether any legacy or devise remains a charge on the real estate, and if so, the nature and amount thereof.
6. The name of the guardian or trustee for any heir, legatee or devisee and the court from which his letters were issued.

That section seven thousand nine hundred one-a four (7901-a4) of the supplement to the compiled code of Iowa is amended, revised and codified to read as follows:

Sec. 3. In case such surviving spouse does not make such election within six months from the date of the completed service of such notice, or if such surviving spouse shall be the executor of the will and fails, within six months after the will is admitted to probate, to file with the clerk of the court an election to refuse to take under provisions of the will of the deceased, it shall be conclusively presumed that such survivor consents to the provisions of the will and elects to take thereunder; unless within such period of six months an affidavit should be filed setting forth that such surviving spouse is mentally incapable of making such election.

(4) That the bill be amended by striking all of the title thereof, and inserting in lieu thereof the following:

A bill for an act to amend, revise, and codify section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa, and section seven thousand nine hundred one-a four (7901-a4) of the supplement to the compiled code of Iowa, relating to estates of decedents.

CLYDE H. DOOLITTLE,  
EARL W. VINCENT,  
FRED C. LOVRIEN,  
C. F. CLARK,

*Conferees on part of House.*

CHAS. M. DUTCHER,  
ED. H. CAMPBELL,  
J. L. BROOKHART,  
H. J. MANTZ,

*Conferees on part of Senate.*

Passed on file.

On motion of Matthews of Des Moines the House adjourned until 10:00 a. m. Tuesday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 22, 1924.

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

Prayer was offered by the Rev. E. T. Aldrich, pastor of St. Andrews United Brethren church, Des Moines.

Journal of April 21st corrected and approved.

## LEAVE OF ABSENCE

On request of Grimwood of Jones, members of the conference committee on House File No. 84 were excused from the House for the forenoon.

On motion of Smith of Chickasaw, Moen of Lyon was excused for the day.

On motion of Scott of Fremont, Napier of Ringgold was excused for the day.

## REPORT OF COMMITTEE

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 325, a bill for an act to correct cross references in sections forty-one hundred twenty-four (4124), forty-one hundred fifty-eight (4158), and forty-one hundred sixty-four (4164), of the compiled code of Iowa, and section fifty-seven hundred seventy-seven (5777) of the supplement to said 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.

C. F. CLARK, *Chairman.*

Report adopted.

SUPPLEMENTARY REPORT OF THE SECOND CONFERENCE COMMITTEE ON HOUSE FILE NO. 34 CONSIDERED

Rassler of Pocahontas, from the second conference committee on House File No. 34, submitted the following supplementary report and moved its adoption:

MR. SPEAKER: Your conference committee to whom was referred the disagreement between the Senate and the House on House File No. 34, a bill for an act relating to removal from office, beg leave to submit the following supplementary report:

That the House concur in the Senate amendment to section 26.

A. G. RASSLER,  
HOWARD A. MATHEWS,  
C. H. SCOTT,  
JOHN H. AIKEN,  
*Conferees on part of House.*

LLOYD THURSTON,  
H. C. WHITE,  
S. C. REES,  
J. E. WICHMAN,  
*Conferees on part of Senate.*

On the question "Shall the supplementary report of the conference committee and the amendment proposed therein be adopted?"

The ayes were:

Aiken	Gibson	McClune	Saunders
Anderson of	Gilbert	Mathews	Schirmer
Webster	Gilbertson	Matthiesen	Schulte
Blume	Graham	Miller	Scott of
Bradley	Hansen	Natvig	Appanoose
Brady	Harrison	Noble	Scott of Fremont
Children	Hattendorf	O'Donnell	Slemmons
Colbert	Healy	Olson	Smith of
Cole	Held	Ontjes	Chickasaw
Criswell	Hempel	Powers	Smith of Lucas
Dewar	Henderson	Ramsey	Stock
Diltz	Hollis	Rankin	Stookesberry
Dooley	Huff	Rassler	Storey
Doolittle	King	Rewoldt	Strippel
Dotts	Leonard	Rhinehart	Wamstad
Edge	Letts	Robson	Weber
Fackler	Lichty	Rumley	Wilson
Forsling	Lieberknecht	Rust	Yenter
Frahm	Long	Sampson	Mr. Speaker—75
Gallagher	Lovrien		

The nays were, none.

## Absent or not voting:

Berry	Garber of Adair	Knutson	Peterson
Blake	Garber of Floyd	Lake	Potts
Brittain	Gesman	Moen	Quirk
Buffington	Gilmore	Napier	Ulstad
Carter	Grimwood	Oliver	Venard
Clark	Hauge	Orr	Vincent
Donhowe	Himebauch	Parsons	Williams
Edson	Johnson	Patterson	Wolfe—33
Elliott			

The supplementary report of the second conference committee on House File No. 34 and the amendment proposed therein were adopted.

## CONFERENCE COMMITTEE REPORT CONSIDERED

The report of the conference committee on House File No. 236, found in the House Journal of April 21st, was taken up for consideration.

Doolittle of Delaware moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

## The ayes were:

Alken	Gallagher	Long	Sampson
Anderson of Webster	Gibson	Lovrien	Schirmer
Blume	Gilbert	Mathews	Schulte
Bradley	Gilbertson	Matthiesen	Scott of Appanoose
Brady	Gilmore	Miller	Scott of Fremont
Children	Graham	Natvig	Slemmons
Clark	Hansen	Noble	Smith of
Colbert	Harrison	O'Donnell	Chickasaw
Cole	Hattendorf	Oliver	Smith of Lucas
Criswell	Healy	Olson	Stock
Dewar	Held	Ontjes	Stookesberry
Diltz	Hempel	Powers	Storey
Dooley	Henderson	Ramsey	Strippel
Doolittle	Hollis	Rankin	Wamstad
Dotts	Huff	Rassler	Weber
Edge	King	Rewoldt	Williams
Fackler	Leonard	Rhinehart	Wilson
Forsling	Letts	Robson	Mr. Speaker—76
Frahm	Lichty	Rumley	
	Lieberknecht	Rust	

The nays were, none.

## Absent or not voting:

Berry	Garber of Adair	Lake	Potts
Blake	Garber of Floyd	McClune	Quirk
Brittain	Gesman	Moen	Saunders
Buffington	Grimwood	Napier	Ulstad
Carter	Hauge	Orr	Venard
Donhowe	Himebauch	Parsons	Vincent
Edson	Johnson	Patterson	Wolfe
Elliott	Knutson	Peterson	Yenter—32

The report of the conference committee on House File No. 236 and the amendments proposed by said conference committee were adopted.

## CONSIDERATION OF BILLS

Senate File No. 325, a bill for an act to correct cross references in sections forty-one hundred twenty-four (4124), forty-one hundred fifty-eight (4158), and forty-one hundred sixty-four (4164), of the compiled code of Iowa, and section fifty-seven hundred seventy-seven (5777) of the supplement to said code, with report of committee recommending passage, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

## The ayes were:

Anderson of	Garber of Adair	Lovrien	Schirmer
Webster	Gibson	McClune	Schulte
Blake	Gilbert	Mathews	Scott of
Brady	Gilmore	Matthiesen	Appanoose
Brittain	Graham	Miller	Scott of Fremont
Carter	Hansen	Natvig	Slemmons
Clark	Hattendorf	Noble	Smith of
Colbert	Hauge	O'Donnell	Chickasaw
Cole	Healy	Olson	Stock
Criswell	Held	Patterson	Stookesberry
Dewar	Hempel	Powers	Storey
Diltz	Henderson	Ramsey	Strippel
Dooley	Huff	Rankin	Vincent
Doolittle	Johnson	Rewoldt	Wamstad
Dotts	King	Rhinehart	Weber
Edge	Leonard	Robson	Williams
Fackler	Letts	Rumley	Wilson
Forsling	Lichty	Rust	Yenter
Frahm	Lieberknecht	Saunders	Mr. Speaker—75
Gallagher	Long		

The nays were, none.

## Absent or not voting:

Aiken	Garber of Floyd	Moen	Quirk
Berry	Gesman	Napier	Rassler
Blume	Gilbertson	Oliver	Sampson
Bradley	Grimwood	Ontjes	Smith of Lucas
Buffington	Harrison	Orr	Ulstad
Children	Himebauch	Parsons	Venard
Donhowe	Hollis	Peterson	Wolfe—33
Edson	Knutson	Potts	
Ellott	Lake		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 277

Garber of Adair, from the conference committee on House File No. 277, submitted the following report:

MR. SPEAKER: Your conference committee on House File No. 277 begs leave to submit the following report, and recommend its adoption:

(1) That Senate amendment No. 4 be concurred in by the House after being amended as follows: Amend Senate amendment No. 4 by substituting for section 129-a1 the following:

Sec. 129-a1. The board of supervisors of any county may designate certain public highways whereon vehicles, machines and loads of greater weight than the maximum prescribed in section one hundred ninety-five (195) of this act may be excluded and make such other reasonable regulations in relation to the use thereof as may be necessary to prevent the destruction of a permanent improvement thereon.

(2) That the Senate recede from amendments Nos. 5 and 6 amending sections 132 and 144 of the bill.

(3) We recommend concurrence in Senate amendment No. 7 after being amended as follows: Substituting for section 185-a1 the following:

Sec. 185-a1. Stationary unlighted vehicle.

No person shall, during any period of time from one-half hour after sunset to one-half hour before sunrise, permit a motor vehicle, under his control, to stand upon the paved portion of any hard surfaced highway outside of the corporate limits of any incorporated city or town with the rear light extinguished unless said highway is artificially lighted at the place where the vehicle is located, to such extent as to clearly indicate the presence of said vehicle. A violation of this section shall constitute a misdemeanor and be punishable by a fine of not to exceed \$25.00.

Amend section 185-a2 by substituting for the word "lights" in lines two (2) and four (4) the word "light".

(4) We recommend the concurrence in Senate amendment No. 8 after being amended as follows:

Substituting for section 195 the following:

Sec. 195. The total maximum load on any one wheel of a motor ve-

hicle, including the weight of the vehicle and the load it carries, shall be four (4) tons, provided the total maximum weight of the vehicle and load shall not in any event exceed fourteen (14) tons for a vehicle equipped with pneumatic tires or twelve (12) tons for a vehicle equipped with solid rubber tires.

R. O. GARBER,  
W. S. CRISWELL,  
H. C. DEWAR,  
J. C. MCCLUNE,

*Conferees on part of House.*

J. M. SLOSSON,  
B. M. STODDARD,  
J. D. BUSEE,  
O. L. MEAD,

*Conferees on part of Senate.*

Mr. Garber moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of Webster	Gilbert Gilbertson	Matthiesen Natvig	Schulte Scott of
Berry	Gilmore	Noble	Appanoose
Brady	Graham	O'Donnell	Scott of Fremont
Brittain	Hansen	Olson	Slemmons
Children	Hattendorf	Ontjes	Smith of
Clark	Hauge	Orr	Chickasaw
Colbert	Healy	Patterson	Stock
Cole	Held	Peterson	Stookesberry
Criswell	Hempel	Powers	Storey
Dewar	Hollis	Rankin	Strippel
Diltz	Letts	Rewoldt	Vincent
Doolittle	Lichty	Rhinehart	Wamstad
Dotts	Lieberknecht	Robson	Weber
Edge	Long	Sampson	Williams
Gallagher	Lovrien	Saunders	Wilson
Garber of Adair	McClune	Schirmer	Mr. Speaker—67
Gibson	Mathews		

The nays were:

Blume	Forsling	Miller	Rust
Carter	Huff	Oliver	Smith of
Dooley	Johnson	Ramsey	Lucas—11

Absent or not voting:

Aiken	Bradley	Donhowe	Elliott
Blake	Buffington	Edson	Fackler

Frahm	Himebauch	Napier	Ulstad
Garber of Floyd	King	Parsons	Venard
Gesman	Knutson	Potts	Wolfe
Grimwood	Lake	Quirk	Yenter—30
Harrison	Leonard	Rasajler	
Henderson	Moen	Rumley	

The report of the conference committee on House File No. 277 and the amendments proposed by said conference committee were adopted.

#### CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 262

Buffington of Mills, from the conference committee on House File No. 262, submitted the following report:

MR. SPEAKER: Your conference committee appointed for the consideration of the differences between the Senate and House on House File No. 262, a bill relating to the practice of certain professions affecting the public health, beg leave to report that we have had these differences under careful consideration and submit the following report:

1. That the Senate recede from its amendment to section fourteen (14).
2. That section nineteen (19) be amended by striking out the words "or its board of trustees" appearing after the word "society" in line one (1), as contained in the House amendment, and inserting in lieu thereof the words "or its managing board".
3. That the House concur in Senate amendments to section thirty (30).
4. That the following amendment be adopted as a substitute for both House and Senate amendments to section seventy-one (71).

Amend by striking out all of the subsection following the word "accredited" in line five (5) and inserting in lieu thereof the following: "by the appropriate board herein created, together with the commissioner of health, or by some recognized state or national accrediting agency."

Also amend by inserting following the word "accredited" in line eight (8) the following: "by the appropriate board herein created, together with the commissioner of health, or".

5. That the House concur in the Senate amendment to section seventy-two (72).
6. That the House concur in the Senate amendments to section seventy-nine (79).
7. That the House concur in the Senate amendment to section eighty (80).
8. That the Senate amendment to section eighty-one (81) be amended by changing the word "twelve" to "fourteen" and that the House concur in the Senate amendment as amended.
9. That the House concur in the Senate amendment designated as section eighty-three (83).

10. That the following sections be added following section 92-a5:

"Sec. 92-a6. Licensing of chiropractors, osteopaths, and osteopathic surgeons.

Notwithstanding the provisions of this title, every application for a license to practice chiropractic, osteopathy, or osteopathy and surgery, shall be made direct to the secretary of the examining board of such profession, and every reciprocal agreement for the recognition of any such license issued in another state shall be negotiated by the examining board for such profession, and all examination, license, and renewal fees received from such persons licensed to practice any of such professions shall be paid to and collected by the secretary of the examining board of such profession, which secretary shall turn the same over to the department of health on the first day of January, nineteen hundred twenty-five (1925) and quarterly thereafter.

Sec. 92-a7. Clerical help and supplies.

Subject to the approval of the executive council, the examining boards for chiropractic, osteopathy, and osteopathy and surgery, may employ such clerical assistance as may be necessary to enable said board to perform the duties imposed upon them by law. Payment for such assistance shall be made out of the appropriation provided for in section twenty-four (24). The executive council shall also furnish said boards with the necessary quarters and all articles and supplies required for the public use, and the provisions of section twenty-five (25) shall not apply to said boards.

Sec. 92-a8. Records.

The secretary of each of said boards shall keep a correct record of the proceedings of said board, and upon the granting of any license to practice any of said professions the board shall, at the time of granting said license, certify to the department of health the application upon which such license was issued, together with the questions submitted in the examination of such applicant and the answers thereto, and such secretary shall deposit with the department of health all records not needed for the current use of his examining board."

11. That the House concur in the Senate amendment known as section ninety-two-a seven (92-a7) and that the same be renumbered as section ninety-two-a nine (92-a9).

12. That the House concur in the Senate amendments to section one hundred twenty-nine (129).

13. That the House concur in Senate amendment to section one hundred thirty (130) and that said section be amended as follows:

The words "The preceding section" appearing in line one (1) of said section be amended to read, "This chapter".

Also amend by striking out subsection two (2) of said section and substituting in lieu thereof the following:

"2. Licensed practitioners of medicine."

14. That the following be adopted as a substitute for both House and Senate amendments to section one hundred thirty-eight (138).

"Sec. 138. Requirements for approved colleges.

After July first, nineteen hundred twenty-five (1925), no college of pharmacy shall be approved by the pharmacy examiners as a college of recognized standing unless the entrance and graduation requirements are equivalent to those prescribed from time to time by the American conference of pharmaceutical faculties."

15. That the House concur in the Senate amendment to section 5.

C. R. BUFFINGTON,

H. C. DEWAR,

O. GILBERTSON,

J. H. WEBER,

*Conferees on part of House.*

BYRON W. NEWBERRY,

CHAS. M. DUTCHER,

JNO. R. PRICE,

FRANK SHANE,

*Conferees on part of Senate.*

Passed on file.

#### CONSIDERATION OF BILLS

House File No. 14, a bill for an act to amend, revise, and codify sections two hundred forty-nine (249) to two hundred fifty-six (256), inclusive, two hundred fifty-eight (258) to two hundred sixty-one (261), inclusive, two hundred sixty-three (263) to two hundred sixty-nine (269), inclusive, two hundred seventy-two (272), and two hundred seventy-three (273) of the compiled code of Iowa, and sections two hundred forty-eight (248) and two hundred sixty-two (262) of the supplement to said code, relating to the executive council and to the powers, duties, and employees thereof, with report of the special committee of nine recommending amendment and passage, was taken up for consideration.

On motion of Lovrien of Humboldt, the amendments proposed by the committee, found in the Journal of March 8th, were adopted.

By unanimous consent the amendments filed by Lovrien of Humboldt on April 21st were withdrawn.

The following amendments filed by Ontjes of Grundy were taken up for consideration:

Amend House File No. 14 by adding thereto the following sections:

Sec. 32. Whenever the executive council of the state is satisfied that an unlawful combination, pool or trust exists, whereby the free action of competition in the buying or selling of any article of commerce is restrained or prevented in this state, or whenever said council is satisfied that exorbitant and extortionate prices are being charged and received for essential products, such as food, fruit, gasoline, oil, coal, water and ice, said council is empowered to purchase such articles of commerce at wholesale or retail, and to sell the same at wholesale or retail within the state of Iowa at cost, plus the reasonable and necessary expense of handling.

Sec. 33. Prior to making any purchase the executive council shall adopt and make of record in the minutes of its official proceedings such rules and regulations as will insure a strict accounting for all moneys employed in such purchases and sales, and the replacement of any unexpended balance of such funds and any accumulation of the same in the funds from which drawn.

Sec. 34. The executive council shall have the power to cause the examination of the books, records and papers of any person, firm, or corporation that it believes is violating the law against combinations, pools or trusts, or is charging and receiving exorbitant and extortionate prices for such essential products, for the purpose of ascertaining the facts as to such violation, and as to the wholesale, factory or mine prices of any article of commerce, and whether there exists any such unlawful combination, pool or trust, or the charging and receiving of exorbitant and extortionate prices, and for that purpose to issue subpoenas requiring the attendance of witnesses and the production of books or papers. Such subpoenas shall be issued over the signature of the presiding officer of the executive council, except where there are other express provisions of law covering the manner of the issuance of subpoenas.

Sec. 35. There is hereby appropriated out of any unappropriated funds in the state treasury such amounts from time to time as the executive council shall require for the purpose of making purchases for the purpose of resale under the provisions of this act and for the purpose of paying any expenses of making investigations to ascertain whether or not there exists within the state any pool, unlawful combination or trust, or there is being charged or received exorbitant and extraordinary prices.

By unanimous consent, the amendments filed by Ontjes of Grundy on March 18th to his amendments were withdrawn.

Ontjes of Grundy offered the following amendment to his amendment and moved its adoption:

Amend the amendment to section 32, line 6, by striking out the words "food, fruit, gasoline, oil, coal, water and ice" and inserting in lieu thereof the following: "gasoline, fuel oil and coal".

On the question "Shall the amendment to the amendments be adopted?" a roll call was demanded.

The ayes were:

Berry	Fackler	Mathews	Smith of Lucas
Blume	Hattendorf	Ontjes	Stookesberry
Brady	Leonard	Rankin	Wamstad
Dooley	Lovrien	Rassler	Wilson—19
Dotts	McClune	Schulte	

The nays were:

Anderson of Webster	Frahm	Long	Saunders
Blake	Gallagher	Natvig	Schirmer
Bradley	Garber of Adair	Noble	Scott of Appanoose
Brittain	Gilbert	O'Donnell	Scott of Fremont
Children	Gilmore	Oliver	Slemmons
Clark	Graham	Olson	Smith of Chickasaw
Colbert	Hansen	Orr	Stock
Cole	Harrison	Parsons	Storey
Criswell	Hauge	Patterson	Strippel
Dilts	Held	Powers	Venard
Donhowe	Hempel	Ramsey	Vincent
Doollittle	Henderson	Rewoldt	Weber
Edge	Hollis	Rhinehart	Yenter
Edson	Johnson	Robson	Mr. Speaker—63
Elliott	Letts	Rumley	
Forsling	Lichty	Rust	
	Lieberknecht		

Absent or not voting:

Aiken	Gilbertson	Lake	Potts
Buffington	Grimwood	Matthiesen	Quirk
Carter	Healy	Miller	Sampson
Dewar	Himebauch	Moen	Ulstad
Garber of Floyd	Huff	Napier	Williams
Gesman	King	Peterson	Wolfe—26
Gibson	Knutson		

The amendment by Ontjes of Grundy to the amendments was rejected.

Berry of Monroe offered the following amendment to the amendments and moved its adoption:

Amend the amendments by Ontjes of Grundy to House File No. 14 by striking out of line 6 of the amendment adding section 32 the word "coal".

On the question "Shall the amendment to the amendments be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Fackler	Orr	Smith of Lucas
Berry	Gibson	Parsons	Storey
Blake	Graham	Rewoldt	Ulstad
Blume	Harrison	Rhinehart	Venard
Brady	Lovrien	Rust	Vincent
Brittain	McClune	Scott of Appanoose	Wilson—27
Edge	Mathews		
	Noble		

The nays were:

Bradley	Gilbert	Lichty	Saunders
Carter	Gilmore	Lieberknecht	Schirmer
Children	Hansen	Long	Schulte
Clark	Hattendorf	Matthiesen	Scott of Fremont
Colbert	Hauge	Miller	Slemmons
Cole	Healy	Natvig	Smith of
Dewar	Held	O'Donnell	Chickasaw
Diltz	Hempel	Oliver	Stock
Donhowe	Henderson	Olson	Stookesberry
Dooley	Hollis	Ontjes	Strippel
Dotts	Johnson	Patterson	Wamstad
Edson	King	Powers	Weber
Elliott	Lake	Rassler	Williams
Forsling	Leonard	Robson	Yenter
Gallagher	Letts	Rumley	Mr. Speaker—60
Garber of Adair			

Absent or not voting:

Aiken	Gesman	Knutson	Quirk
Buffington	Gilbertson	Moen	Ramsey
Criswell	Grimwood	Napier	Rankin
Doolittle	Himebauch	Peterson	Sampson
Frahm	Huff	Potts	Wolfe—21
Garber of Floyd			

The amendment by Berry of Monroe to the amendments was rejected.

Mr. Ontjes moved the adoption of his amendments to the main bill.

On the question "Shall the amendments by Ontjes of Grundy be adopted?" a roll call was demanded.

The ayes were:

Blume	Mathews	Ontjes	Rassler
Dooley	Matthiesen	Orr	Stookesberry—9
Lovrien			

The nays were:

Anderson of	Edson	Held	Oliver
Webster	Elliott	Hempel	Olson
Blake	Forsling	Henderson	Parsons
Bradley	Frahm	Hollis	Patterson
Brady	Gallagher	King	Peterson
Brittain	Garber of Adair	Lake	Powers
Children	Gilbert	Letts	Ramsey
Clark	Gilmore	Lichty	Rankin
Colbert	Graham	Long	Rewoldt
Dewar	Hansen	McClune	Rhinehart
Diltz	Harrison	Miller	Robson
Donhowe	Hattendorf	Natvig	Rumley
Doolittle	Hauge	Noble	Rust
Edge	Healy	O'Donnell	Sampson

Saunders	Scott of Fremont	Stock	Vincent
Schirmer	Slemmons	Storey	Weber
Scott of	Smith of	Strippel	Wilson
Appanoose	Chickasaw	Venard	Mr. Speaker—69

Absent or not voting:

Alken	Garber of Floyd	Knutson	Schulte
Berry	Gesman	Leonard	Smith of Lucas
Buffington	Gibson	Lieberknecht	Ulstad
Carter	Gilbertson	Moen	Wamstad
Cole	Grimwood	Napier	Williams
Criswell	Himebauch	Potts	Wolfe
Dotts	Huff	Quirk	Yenter—80
Fackler	Johnson		

The amendments by Ontjes of Grundy were rejected.

Hauge of Polk offered the following amendment and moved its adoption:

Amend House File No. 14, section 25, by adding thereto as subsection 36-a1 the following:

"36-a1. Director of the Budget."

Amendment adopted.

Lovrien of Humboldt moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Frahm	Lieberknecht	Saunders
Webster	Gallagher	Long	Schirmer
Berry	Garber of Adair	Lovrien	Scott of
Blake	Gilbert	McClune	Appanoose
Bradley	Gilbertson	Mathews	Scott of Fremont
Brady	Gilmore	Matthiesen	Slemmons
Brittain	Graham	Natvig	Smith of
Carter	Grimwood	Noble	Chickasaw
Children	Hansen	O'Donnell	Smith of Lucas
Clark	Harrison	Oliver	Stock
Colbert	Hattendorf	Olson	Stokesberry
Cole	Hauge	Ontjes	Storey
Criswell	Healy	Orr	Strippel
Dewar	Held	Parsons	Ulstad
Diltz	Hempel	Powers	Venard
Donhowe	Henderson	Ramsey	Vincent
Dooley	Hollis	Rassler	Wamstad
Doolittle	Huff	Rewoldt	Weber
Dotts	Johnson	Rhinehart	Williams
Edge	King	Robson	Wilson
Edson	Leonard	Rumley	Wolfe
Elliott	Letts	Rust	Yenter
Fackler	Lichty	Sampson	Mr. Speaker—90
Forsling			

The nays were, none.

## Absent or not voting:

Alken	Gibson	Moen	Potts
Blume	Himebauch	Napler	Quirk
Buffington	Knudson	Patterson	Rankin
Garber of Floyd	Lake	Peterson	Schulte—18
Gesman	Miller		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## MEMBERS OF CONFERENCE COMMITTEE EXCUSED

On request of Carter of Hardin, members of the conference committee on Senate File No. 121 were excused for the remainder of the forenoon.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Joint Resolution No. 7.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## JOINT RESOLUTION SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House the following joint resolution: House Joint Resolution No. 7.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectively reports that it has, on this twenty-second day of April, 1924, sent to the Governor for his approval:

House Joint Resolution No. 7.

C. F. LETTS, *Chairman.*

Report 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 following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution No. 3, a joint resolution relating to the taking of a recess by the General Assembly and the discharge of its employees.

Also, that the Senate has concurred in the House amendments to Senate File No. 319, a bill for an act relating to payment of state and other expenses.

Also, that the Senate has passed the following bill, in which the concurrence of the House is asked:

Senate File No. 326, a bill for an act relating to the banking department.

Also, that the Senate has amended and passed the following resolution, in which the concurrence of the Senate was asked:

House Joint Resolution No. 6, proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, relating to the apportionment of the state into senatorial districts.

Also, that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House File No. 326, a bill for an act relating to the rate of interest on bonds.

Also, that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House File No. 328, a bill for an act relating to the legalization of acts of the Keokuk and Hamilton Bridge Company.

Also, that the Senate has adopted the supplementary report of the conference committee on House File No. 34, a bill for an act relating to removal from office.

Also, that the Senate has adopted the report of the conference committee and concurred in the amendments proposed on House File No. 236, a bill for an act relating to estates of decedents.

Also, that the Senate has adopted the report of the conference committee and concurred in the amendments proposed on House File No. 277, a bill for an act relating to motor vehicles.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 306, a bill for an act to legalize certain acts of Water-ville consolidated independent school district in Allamakee county, Iowa.

LEON W. AINSWORTH, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 326, a bill for an act to amend, revise, and codify sections fifty-seven hundred fifty (5750) and fifty-seven hundred fifty-six (5756) of the compiled code of Iowa and section

fifty-seven hundred fifty-four (5754) of the supplement to the compiled code of Iowa, relating to the banking department.

Read first and second times and passed on file.

Senate Joint Resolution No. 3, joint resolution relating to the taking of a recess by the General Assembly, and the discharge of its employes.

Read first and second times and referred to committee on code revision.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Children of Pottawattamie, House Joint Resolution No. 6, joint resolution proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, relating to the apportionment of the state into senatorial districts, with Senate amendments, was taken up and the amendments read and considered.

#### SENATE AMENDMENTS

Amend by adding the following as section 3:

"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 in the Iowa Forum, both newspapers published in Des Moines, Iowa."

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Graham	Oliver	Scott of Fremont
Webster	Harrison	Olson	Stemmens
Blume	Hattendorf	Ontjes	Smith of
Bradley	Healy	Parsons	Chickasaw
Brady	Hempel	Potts	Smith of Lucas
Brittain	Henderson	Powers	Stock
Children	Hollis	Ramsey	Stookesberry
Colbert	Huff	Rankin	Storey
Dewar	King	Rassler	Strippel
Dilts	Leonard	Rewoldt	Ulstad
Dooley	Letts	Rhinehart	Venard
Doolittle	Lichty	Robson	Vincent
Dotts	Lieberknecht	Rumley	Wamstad
Edson	Long	Rust	Weber
Fackler	McClune	Sampson	Williams
Forsling	Mathews	Saunders	Wilson
Frahm	Miller	Schulte	Wolfe
Gallagher	Natvig	Scott of	Yenter
Gilbert	Noble	Appanoose	Mr. Speaker—75
Gilbertson	O'Donnell		

The nays were, none.

Absent or not voting:

Aiken	Edge	Hansen	Matthiesen
Berry	Elliott	Hauge	Moen
Blake	Garber of Adair	Held	Napier
Buffington	Garber of Floyd	Himebauch	Orr
Carter	Gesman	Johnson	Patterson
Clark	Gibson	Knutson	Peterson
Cole	Gilmore	Lake	Quirk
Criswell	Grimwood	Lovrien	Schirmer—33
Donhowe			

The House concurred in the Senate amendments to House Joint Resolution No. 6.

On request of Stock of Allamakee, House File No. 306, a bill for an act to legalize certain acts of the Waterville independent consolidated school district of Allamakee county, Iowa, and of its officers and board of directors, in relation to the reimbursement of Ray C. Robey, a taxpayer of said district, of funds expended by him for the benefit of the district whereby he saved the school district the sum of about six thousand eight hundred eighty dollars (\$6880), with Senate amendment was taken up and the amendment read and considered.

#### SENATE AMENDMENT

Amend section 2 by changing the final period to a comma and adding the following: "said publication to be without expense to the state."

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

On the question "Shall the House concur?"

The ayes were:

Anderson of	Forsling	Lichty	Potts
Webster	Gallagher	Lieberknecht	Powers
Blake	Gilbert	Long	Ramsey
Blume	Gilbertson	Lovrien	Rankin
Bradley	Gilmore	McClune	Rewoldt
Brittain	Graham	Mathews	Rhinehart
Colbert	Harrison	Matthiesen	Robson
Cole	Hattendorf	Miller	Rumley
Dewar	Hauge	Natvig	Rust
Diltz	Healy	Noble	Sampson
Dooley	Hempel	O'Donnell	Saunders
Doolittle	Henderson	Oliver	Schirmer
Dotts	Hollis	Olson	Schulte
Edson	Huff	Ontjes	Scott of
Elliott	King	Orr	Appanoose
Fackler	Letts	Parsons	Scott of Fremont

Smith of Chickasaw	Stookesberry Storey	Venard Wamstad	Wilson Yenter
Smith of Lucas	Strippel	Weber	Mr. Speaker—76
Stock	Ulstad	Williams	

The nays were, none.

Absent or not voting:

Alken	Donhowe	Hansen	Napier
Berry	Edge	Held	Patterson
Brady	Frahm	Himebauch	Peterson
Buffington	Garber of Adair	Johnson	Quirk
Carter	Garber of Floyd	Knutson	Rassler
Children	Gesman	Lake	Slemmons
Clark	Gibson	Leonard	Vincent
Criswell	Grimwood	Moen	Wolfe—32

The House concurred in the Senate amendment to House File No. 306.

#### HOUSE FILE WITHDRAWN

On request of Donhowe of Story, unanimous consent having been obtained, House File No. 313 was withdrawn from further consideration by the House.

On motion of Cole of Harrison the House adjourned until 4:00 p. m. today.

#### AFTERNOON SESSION

The House reconvened. Speaker Anderson in the chair.

#### PROOF OF PUBLICATION OF SENATE FILE NO. 322

The official proof of publication of Senate File No. 322, proposed bill for the legalization of the proceedings of the city of Valley Junction, in Polk county, Iowa, and for the legalization of \$20,000.00 water works bonds of said city, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

#### REPORT OF COMMITTEE

Williams of Montgomery, from the committee on insurance, submitted the following report:

MR. SPEAKER: Your committee on insurance to whom was referred Senate Joint Resolution No. 2, joint resolution providing for a committee to investigate and make recommendations to the forty-first General Assembly relating to 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 amended as follows, and when so amended the joint resolution do pass:

Strike out sections 1 and 2 and substitute in lieu thereof the following:

"Section 1. The lieutenant-governor shall at once upon the taking effect of this act appoint three (3) members of the Senate and the speaker of the House shall appoint three (3) members of the House, which said six (6) persons shall constitute a commission to serve without compensation, except all traveling and other necessary expenses of said commission, which said expenses shall be paid upon the approval of the executive council in the manner provided by law, from the appropriation hereinafter provided for.

Sec. 2. It shall be the duty of the commission:

First: To make investigations and inquiries relative to the laws of the state of Iowa, relative to insurance.

Second: To report in detail to the Forty-first General Assembly the result of such investigation, accompanied by such recommendations with reference to legislation as to insurance and other matters, which to the commission may seem right and proper.

Sec. 3. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of two thousand dollars (\$2,000.00) or so much thereof as may be necessary to carry into effect the provisions of this act."

Renumber section 3 as section 4.

ALFRED WILLIAMS, *Acting Chairman.*

Report adopted.

The joint resolution was referred to the 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 Senate was asked:

House File No. 327, a bill for an act to authorize the issuance of a patent to certain lands in Clayton county, Iowa.

Also, that the Senate has concurred in the last paragraph of amendment No. 1 to Senate File No. 191, adding a publication clause; has refused to concur in amendment No. 2 and in the addition of sections 29, 30 and 31, as proposed in amendment No. 1.

LEON W. AINSWORTH, *Secretary.*

## CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 185

Parsons of Calhoun, from the conference committee on House File No. 185, submitted the following report:

MR. SPEAKER: Your conference committee to whom was referred the differences between the two houses in regard to House File No. 185, a bill relating to drainage, begs leave to report that it has considered the matter and that it recommends that such differences be compromised and settled upon the following basis:

1. That the House shall concur in Senate amendments Nos. 8, 17, 19, 22, 24, 25, 26, 29, 37, 40, 45, 46, 49, 50, 55, 59 and 60.

2. That the Senate shall recede from its amendments Nos. 13, 28, 36, 44 and 64.

3. That the Senate recede from its amendment No. 2; but that section 3 of the bill be amended by inserting in line one (1) thereof immediately after the word "chapter" the following: "and with reference to improvements along or adjacent to the Missouri River"; and that as so amended both houses adopt section 3 of the bill.

4. That the Senate recede from its amendment No. 3; but that section 6 of the bill be amended by striking all of said section preceding the word "may" in line two (2) thereof and by inserting in lieu thereof the following: "The owner or owners of at least fifteen per cent (15%) of the land named in the petition described in this section"; also by adding the following immediately after the period (.) in line three (3) of said section 6, to-wit: "But if the district described in the petition is a subdistrict, one or more of the owners of the land affected by the improvement may petition for such subdistrict.", and that as so amended both houses adopt section 6 of the bill.

5. That the senate shall recede from its amendment No. 10; and that section 27-a of the bill be amended by striking line six (6) thereof and inserting in lieu thereof the following: "owners in the district, and these remonstrants must in the aggregate own seventy per cent (70%) or more of the"; and also that said section 27-a be amended by striking the word "tax" in line seven (7) and inserting in lieu thereof the word "taxed"; and that as so amended both houses adopt section 27-a of the bill.

6. That Senate amendment No. 23 be itself amended by striking therefrom the word "districts", being the last word of such amendment, and that as so amended both houses adopt Senate amendment No. 23.

7. That the Senate recede from its amendment No. 27, and that section 54 of the bill be amended by inserting the words "or levy" after the word "drainage" in the first line thereof; that the comma (,) in line four (4) be stricken and the word "or" be inserted in lieu thereof; and that the words "or repair" in line four (4) be stricken and that there be added at the close of said section 54 of the bill the following:

"In case the board shall finally determine that any such changes shall be made involving an expenditure of five thousand dollars (\$5,000.00) or

more, said work shall be let by bids in the same manner as is provided for the original construction of such improvements."

That as so amended both houses adopt section 54 of the bill.

8. That the Senate recede from the second paragraph of its amendment No. 27, and that section 55 of the bill be amended by inserting the word "or" immediately after the word "enlargement" in line five (5) thereof; by striking the following from lines five (5) and six (6): " , or repair, as the case may be, without regard to any former classification,,"; and that as so amended both houses adopt section 55 of the bill.

9. That section 107 of the bill be stricken therefrom.

10. That Senate amendment No. 53 be itself amended by inserting after the word "file" where such word appears for the first time in said amendment the word "it", and that as so amended both houses adopt and concur in Senate amendment No. 53.

11. That the House concur in the first paragraph of Senate amendment No. 54, and that the Senate recede from the second paragraph of its amendment No. 54, and that both houses amend section 151 of the bill by striking from lines twenty-one (21) and twenty-two (22) thereof the words "of the boards acting jointly".

12. That section 27-a of the bill be amended by adding at the end thereof the following: "The provisions of this section shall not apply to the sub-district as described in section 52 of this chapter."

13. That line seven (7) of section 27-b of the bill be amended by striking therefrom the words and figures "sixty per cent (60%)" and inserting in lieu thereof "seventy per cent (70%)".

14. That section 52 of the bill be amended by striking from lines nine (9) and ten (10) thereof the words "proceed in the manner provided for the establishment of the original district", and by inserting in lieu thereof the words "file a petition for the establishment of a sub-district and thereafter the proceedings shall be the same as provided for the establishment of an original district."

15. That section 122 of the bill be amended by changing the period (.) at the end of the section into a comma (,) and by adding after such comma the following: "except that one or more persons may petition for a sub-district as provided in section 52 of this chapter."

16. That the House concur in Senate amendment No. 61, and that section 172 of the bill be further amended by both houses by striking the

words "sewer or other" in line five (5) of said section, and by inserting in lieu thereof the words "storm sewer and drainage".

THOMAS PARSONS,  
BREDE WAMSTAD,  
G. W. PATTERSON,  
W. C. EDBON,

*Conferees of the House.*

F. C. GILCHRIST,  
J. M. SLOSSON,  
J. D. BUSER,  
H. C. ADAMS,

*Conferees of the Senate.*

Passed on file.

On motion of Schirmer of Jackson the House adjourned until 10:00 a. m. Wednesday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 23, 1924.

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

Prayer was offered by the Rev. A. W. Armstrong, Des Moines Conference Historian, Perry, Iowa.

Journal of April 22d corrected and approved.

## LEAVE OF ABSENCE

On motion of Smith of Chickasaw, Wilson of Tama was excused indefinitely, on account of illness.

On motion of Cole of Harrison, Stock of Allamakee was excused for the day, on account of illness.

On motion of Fackler of Adams, Letts of Washington was excused for the day, on account of illness.

## CONFERENCE COMMITTEE REPORT CONSIDERED

The report of the conference committee on House File No. 262, found in the House Journal of April 22d, was taken up and considered.

Buffington of Mills moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Alken  
Anderson of  
Webster  
Berry

Blake  
Blume  
Bradley  
Brady

Brittain  
Buffington  
Carter  
Children

Colbert  
Cole  
Criswell  
Dewar

Diltz	Hattendorf	Moen	Scott of
Donhowe	Hauge	Natvig	Appanoose
Dooley	Healy	Oliver	Scott of Fremont
Doolittle	Hempel	Olson	Slemmons
Dotts	Henderson	Ontjes	Smith of
Edge	Himebauch	Orr	Chickasaw
Edson	Hollis	Powers	Smith of Lucas
Elliott	Huff	Quirk	Storey
Fackler	Johnson	Rankin	Strippel
Forsling	Leonard	Rewoldt	Ulstad
Frahm	Lichty	Rhinehart	Venard
Gallagher	Lieberknecht	Robson	Vincent
Gibson	Long	Rumley	Wamstad
Gilbertson	Lovrien	Rust	Weber
Graham	McClune	Saunders	Williams
Grimwood	Mathews	Schirmer	Yenter
Hansen	Matthiesen	Schulte	Mr. Speaker—81

The nays were, none.

Absent or not voting:

Clark	Held	Noble	Rassler
Garber of Adair	King	O'Donnell	Sampson
Garber of Floyd	Knutson	Parsons	Stock
Gesman	Lake	Patterson	Stookesberry
Gilbert	Letts	Peterson	Wilson
Gilmore	Miller	Potts	Wolfe—27
Harrison	Napier	Ramsey	

The report of the conference committee on House File No. 262 and the amendments proposed by said conference committee were adopted.

Graham of Wapello moved that all conference committees failing to report to the House by 4 o'clock today be discharged and that new committees be appointed.

Lake of Woodbury moved to amend the motion by Graham of Wapello by excluding the conference committee on House File No. 84 from the provisions of the motion.

Doolittle of Delaware moved as a substitute motion for the motion by Lake of Woodbury that the motion by Graham of Wapello be amended by giving the conference committee on House File No. 84 until 4:00 p. m. Thursday to report.

Substitute motion lost.

Clark of Linn moved as a substitute motion for the motion by Lake of Woodbury that the motion by Graham of Wapello be amended by giving the conference committee on House File No. 84 until 10:00 a. m. Thursday to report.

Substitute motion prevailed.

Motion by Graham of Wapello, as amended, prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House File No. 260.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 260.

BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this twenty-third day of April, 1924, sent to the Governor for his approval:

House File No. 260.

C. F. LETTS, *Chairman.*

Report adopted.

MEMBERS OF CONFERENCE COMMITTEE EXCUSED

On request of Grimwood of Jones, members of the conference committee on House File No. 84 were excused from the House on account of committee work.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 261

McClune of Mahaska, from the conference committee on House File No. 261, submitted the following report:

MR. SPEAKER: Your conference committee appointed to consider the disagreement between the House and Senate on House File No. 261, a bill relating to regulation and inspection of foods, drugs, and other articles, beg leave to report that they have had the same under consideration and submit the following recommendation:

(1) Amend the Senate amendment designated as Sec. 49-a1 by inserting after the word "cream" in line 1 thereof a comma (,) and the words "except the producer,"; also amend by striking out the words "an accredited" in line 4 thereof and substituting the words "a licensed" therefor, and that the House concur in the Senate amendment as amended.

(2) That the Senate recede from its amendment to the House amendment to Sec. 37.

(3) Amend Senate amendment designated as Sec. 90-a1 by changing the words and figures "two dollars and fifty cents (\$2.50)" in line 7 thereof to the words and figures "six dollars (\$6.00)", and that the House concur in the Senate amendment as amended.

(4) That the House concur in the Senate amendments to Sec. 92.

(5) Amend the Senate amendment to line 1 of Sec. 93 by striking out the words and figures "and ninety-a one (90-a1)", and that the House concur in the Senate amendment as amended and to the Senate amendment to line 4 of Sec. 93.

(6) That the House concur in the Senate amendment striking out Sec. 95.

(7) Amend the Senate amendment to line 9 of Sec. 101 by striking out the comma (,) following the word "present" and inserting a period (.) in lieu thereof, and that the House concur in the Senate amendment as amended and in the Senate amendment to line 24 of Sec. 101.

(8) Amend Senate amendment to line 5, section 132, by substituting in lieu thereof the words "and its antidote", and that the House concur in the Senate amendment as amended.

(9) That the House concur in the Senate amendment to Sec. 141.

\* (10) That the Senate recede from its amendment to Sec. 215.

J. C. McCLUNE,  
ALFRED WILLIAMS,  
JOHN T. HANSEN,  
G. W. PATTERSON,

*Conferees on part of House.*

BYRON W. NEWBERRY,  
I. N. SNOOK,  
J. O. SHAFF,  
T. C. CESSNA,

*Conferees on part of Senate.*

McClune of Mahaska moved the adoption of the conference committee report and the amendments proposed by said conference committee.

On the question "Shall the conference committee report and the amendments proposed by said conference committee be adopted?"

The ayes were:

Aiken	Buffington	Dotts	Hansen
Anderson of	Carter	Edge	Hattendorf
Webster	Clark	Edson	Hauge
Berry	Cole	Elliott	Healy
Blume	Dewar	Fackler	Held
Bradley	Diltz	Forsling	Henderson
Brady	Donhowe	Gallagher	Himebauch
Brittain	Doolittle	Gilbertson	Johnson

King	Natvig	Powers	Storey
Lichty	Noble	Quirk	Strippel
Lieberknecht	O'Donnell	Rankin	Vincent
Long	Oliver	Rewoldt	Wamstad
Lovrien	Olson	Rhinehart	Weber
McClune	Ontjes	Rumley	Williams
Mathews	Orr	Schirmer	Yenter
Matthiesen	Patterson	Smith of	Mr. Speaker—65
Moen	Peterson	Chickasaw	

The nays were:

Children	Huff	Rust	Slemmons
Colbert	Leonard	Schulte	Smith of Lucas
Dooley	Miller	Scott of	Stookesberry—16
Gibson	Rassler	Appanoose	
Harrison	Robson		

Absent or not voting:

Blake	Gilmore	Letts	Scott of Fremont
Criswell	Graham	Napier	Stock
Frahm	Grimwood	Parsons	Ulstad
Garber of Adair	Hempel	Potts	Venard
Garber of Floyd	Hollis	Ramsey	Wilson
Gesman	Knutson	Sampson	Wolfe—27
Gilbert	Lake	Saunders	

The report of the conference committee on House File No. 261 and the amendments proposed by said conference committee were adopted.

#### REPORT OF CONFERENCE COMMITTEE ON SUBSTITUTE FOR HOUSE FILE NO. 178

Himebauch of Emmet, from the conference committee on Substitute for House File No. 178, submitted the following report:

MR. SPEAKER: Your conference committee to whom was referred Substitute for House File No. 178, beg leave to report that they have had the same under consideration and submit the following recommendations:

1. That the House concur in the Senate Amendments.

FRED S. HIMEBAUCH,

W. R. BLAKE,

G. L. VENARD,

W. C. EDSON,

*Conferees on part of the House.*

W. G. HASKELL,

WM. SCHMEDIKA,

W. S. BAIRD,

C. J. FULTON,

*Conferees on part of the Senate.*

Himebauch of Emmet moved the adoption of the conference

committee report and the amendment proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendment proposed by said conference committee be adopted?"

The ayes were:

Anderson of Webster	Gallagher Gibson	Mathews Matthiesen	Rust Schirmer
Blake	Gilbertson	Moen	Schulte
Brady	Graham	Natvig	Scott of Fremont
Brittain	Hansen	Noble	Slemmons
Buffington	Hattendorf	Olson	Smith of Chickasaw
Clark	Hauge	Ontjes	Smith of Lucas
Colbert	Held	Parsons	Stookesberry
Criswell	Hempel	Patterson	Storey
Dewar	Henderson	Peterson	Strippel
Diltz	Himebauch	Powers	Vincent
Donhowe	Hollis	Quirk	Wamstad
Dooley	Huff	Rassler	Weber
Doolittle	King	Rewoldt	Williams
Dotts	Lichty	Rhinehart	Yenter
Edge	Lieberknecht	Robson	Mr. Speaker—68
Edson	Long	Rumley	
Forsling	McClune		

The nays were:

Blume	Gilmore	Oliver	Venard—6
Carter	Johnson		

Absent or not voting:

Aiken	Garber of Floyd	Letts	Sampson
Berry	Gesman	Lovrien	Saunders
Bradley	Gilbert	Miller	Scott of Appanoose
Children	Grimwood	Napier	Stock
Cole	Harrison	O'Donnell	Ulstad
Elliott	Healy	Orr	Wilson
Fackler	Knutson	Potts	Wolfe—34
Frahm	Lake	Ramsey	
Garber of Adair	Leonard	Rankin	

The report of the conference committee on Substitute for House File No. 178 and the amendment proposed by said conference committee 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 adopted the report of the conference committee, and concurred in the amendments proposed, on House File No. 262, relating to the practice of certain professions affecting the public health.

Also, that the Senate requests the return of Senate Joint Resolution No. 3, relating to recess of the General Assembly, and discharge of employees.

LEON W. AINSWORTH, *Secretary*.

#### SENATE JOINT RESOLUTION NO. 3 RETURNED TO SENATE

Doolittle of Delaware moved that Senate Joint Resolution No. 3 be recalled from the committee on code revision and returned to the Senate, as per request of the Senate.

Motion prevailed.

#### HOUSE RECEDES FROM AMENDMENTS

Blake of Fayette moved that the House recede from its amendments adding sections 29, 30 and 31 to Senate File No. 191 and in its amendment to the title to said bill.

On the question "Shall the House recede?"

The ayes were:

Anderson of Webster	Forsling Gallagher	Lichty Long	Rumley Sampson
Blake	Gibson	Lovrien	Saunders
Bradley	Gilbertson	McClune	Schirmer
Brady	Gilmore	Mathews	Scott of Fremont
Brittain	Graham	Moen	Stemmons
Buffington	Hansen	Natvig	Smith of Chickasaw
Clark	Harrison	Olson	Storey
Colbert	Hauge	Ontjes	Strippel
Cole	Healy	Peterson	Ulstad
Dewar	Henderson	Powers	Weber
Diltz	Himebauch	Quirk	Yenter
Doolittle	Hollis	Rankin	Mr. Speaker—57
Edge	Johnson	Rhinehart	
Edson	King	Robson	

The nays were:

Berry	Frahm	Noble	Schulte
Blume	Gilbert	O'Donnell	Scott of Appanoose
Carter	Hattendorf	Oliver	Smith of Lucas
Children	Held	Orr	Stokesberry
Criswell	Hempel	Parsons	Venard
Donhowe	Huff	Patterson	Vincent
Dooley	Leonard	Rassler	Wamstad
Dotts	Lieberknecht	Rewoldt	Williams—37
Elliott	Matthiesen	Rust	
Fackler	Miller		

Absent or not voting:

Aiken	Grimwood	Napier	Stock
Garber of Adair	Knutson	Potts	Wilson
Garber of Floyd	Lake	Ramsey	Wolfe—14
Gesman	Letts		

The House receded from its amendments adding sections 29, 30 and 31 to Senate File No. 191 and in its amendment to the title to said bill.

#### RULE SUSPENDED

Forsling of Woodbury moved to suspend the rule permitting the introduction of legalizing acts, for the remainder of the session.

Motion prevailed.

The Speaker announced the appointment of Yenter of Johnson and the release of Stock of Allamakee on the conference committee on Senate File No. 169 due to illness of Mr. Stock.

#### 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 House File No. 178, relating to municipal corporations.

Also, that the Senate has adopted the report of the conference committee and concurred in the amendments proposed on House File No. 261, relating to inspection of foods and other articles.

Also, that the Senate has amended and passed the following bill in which the concurrence of the Senate was asked:

House File No. 14, a bill for an act relating to the powers and duties of the executive council.

LEON W. AINSWORTH, *Secretary.*

#### BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on April 22d, approved the following joint resolution: House Joint Resolution No. 7.

#### CONSIDERATION OF BILLS

Senate File No. 326, a bill for an act to amend, revise, and codify sections fifty-seven hundred fifty (5750) and fifty-seven hundred fifty-six (5756) of the compiled code of Iowa and section fifty-seven hundred fifty-four (5754) of the supplement to the compiled code of Iowa, relating to the banking department, was taken up for consideration.

McClune of Mahaska offered the following amendment and moved its adoption:

Amend Senate File No. 326 by adding to section 1 the following:

Any person aggrieved by the action of the superintendent of banking in granting or refusing to grant a certificate of authority to engage in banking may appeal to the executive council of the state by filing with the secretary of the council a notice of appeal, in writing, and serving the same upon the superintendent of banking or some employee of the office. Such appeal shall be taken within ten days after the action of the superintendent of banking. When notified of such appeal the executive council shall fix a time and place for the hearing and its findings in the matter shall be final.

Children of Pottawattamie offered the following amendment as a substitute for the amendment by McClune of Mahaska:

Amend Senate File No. 326 as follows:

1. Amend section 1 by striking out all of said section following the period in line six (6).

2. Add as section 1-a1 of the bill the following:

Sec. 1-a1. The organization and reorganization of state and savings bank and trust companies shall be subject to the approval of the superintendent of banking.

Any person aggrieved by the action of the superintendent of banking in granting or refusing to grant a certificate of authority to engage in banking may appeal to the executive counsel of the state by filing with the secretary of the counsel, a notice of appeal, in writing, and serving the same upon the superintendent of banking or some employee of the office. Such appeal shall be taken within ten days after the action of the superintendent of banking. When notified of such appeal the executive counsel shall fix a time and place for the hearing and its findings in the matter shall be final. None of the provisions of this section shall be in force and effect after January 15, 1927.

Forsling of Woodbury moved that the House adjourn until 4:00 p. m. today.

Parsons of Calhoun moved to amend the motion by changing the hour from 4:00 p. m. to 1:00 p. m.

Amendment adopted.

Motion of Forsling of Woodbury, as amended, prevailed.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

## BUSINESS PENDING

The House resumed consideration of Senate File No. 326.

Graham of Wapello moved the previous question on the substitute amendment by Children of Pottawattamie.

Motion<sup>e</sup> prevailed.

On the question "Shall the amendment by Children of Pottawattamie be substituted for the amendment by McClune of Mahaska?" a roll call was demanded.

The ayes were:

Anderson of	Dooley	Henderson	Quirk
Webster	Doolittle	Huff	Rassler
Berry	Dotts	King	Rewoldt
Blume	Fackler	Leonard	Scott of
Brady	Frahm	Lieberknecht	Appanoose
Brittain	Gilbertson	Miller	Slemmons
Buffington	Harrison	Moen	Stookesberry
Children	Hattendorf	Natvig	Ulstad
Clark	Held	Ontjes	Wamstad
Criswell	Hempel	Parsons	Williams—38

The nays were:

Aiken	Gibson	Mathews	Saunders
Blake	Gilbert	O'Donnell	Schirmer
Bradley	Gilmore	Oliver	Schulte
Carter	Grimwood	Olson	Scott of Fremont
Colbert	Hansen	Orr	Smith of
Cole	Hauge	Patterson	Chickasaw
Dewar	Healy	Peterson	Storey
Donhowe	Himebauch	Rankin	Strippel
Edge	Hollis	Rhinehart	Vincent
Edson	Lichty	Robson	Weber
Elliott	Long	Rumley	Yenter
Forsling	Lovrien	Rust	Mr. Speaker—50
Gallagher	McClune	Sampson	

Absent or not voting:

Diltz	Johnson	Napier	Smith of Lucas
Garber of Adair	Knutson	Noble	Stock
Garber of Floyd	Lake	Potts	Venard
Gesman	Letts	Powers	Wilson
Graham	Matthiesen	Ramsey	Wolfe—20

The House refused to substitute the amendment by Children of Pottawattamie for the amendment by McClune of Mahaska.

On the question "Shall the amendment by McClune of Mahaska be adopted?" a roll call was demanded.

The ayes were:

Aiken	Forsling	Lieberknecht	Rumley
Anderson of Webster	Frahm	Long	Rust
Berry	Gallagher	Lovrien	Sampson
Blake	Gibson	McClune	Saunders
Blume	Gilbert	Mathews	Schirmer
Bradley	Gilbertson	Miller	Schulte
Brady	Gilmore	Moen	Scott of
Brittain	Grimwood	Natvig	Appanoose
Buffington	Hansen	Noble	Scott of Fremont
Carter	Harrison	O'Donnell	Slemmons
Children	Hattendorf	Oliver	Smith of
Colbert	Hauge	Olson	Chickasaw
Cole	Healy	Ontjes	Stookesberry
Criswell	Held	Orr	Storey
Dewar	Hempel	Parsons	Strippel
Donhowe	Henderson	Patterson	Ulstad
Dooley	Himebauch	Peterson	Vincent
Doolittle	Hollis	Powers	Wamstad
Edge	Huff	Quirk	Weber
Edson	Johnson	Rankin	Williams
Elliott	King	Rewoldt	Yenter
Fackler	Leonard	Rhinehart	Mr. Speaker—88
	Lichty	Robson	

The nays were:

Dotts—1

Absent or not voting:

Clark	Graham	Napier	Stock
Diltz	Knutson	Potts	Venard
Garber of Adair	Lake	Ramsey	Wilson
Garber of Floyd	Letts	Rassler	Wolfe—19
Gesman	Matthiesen	Smith of Lucas	

The amendment by McClune of Mahaska was adopted.

Elliott of Scott moved the previous question on the main bill.  
Motion prevailed.

On motion of Scott of Fremont, Napier of Ringgold was excused indefinitely.

Storey of Warren moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blake	Cole	Edson	Gilbert
Bradley	Dewar	Elliott	Gilbertson
Brittain	Donhowe	Forsling	Gilmore
Carter	Doolittle	Gallagher	Grimwood
Colbert	Edge	Gibson	Hansen

Harrison	Long	Rankin	Smith of
Hauge	Lovrien	Rassler	Chickasaw
Healy	McClune	Rhinehart	Storey
Held	Mathews	Robson	Strippel
Hempel	Noble	Rumley	Ulstad
Henderson	O'Donnell	Rust	Vincent
Himebauch	Oliver	Sampson	Weber
Hollis	Olson	Saunders	Yenter
Johnson	Orr	Schirmer	Mr. Speaker—64
King	Patterson	Schulte	
Lake	Peterson	Scott of Fremont	
Lichty	Potts	Slemmons	

The nays were:

Anderson of	Criswell	Leonard	Parsons
Webster	Dooley	Lieberknecht	Rewoldt
Berry	Dotts	Miller	Stookesberry
Blume	Frahm	Moen	Wamstad
Brady	Hattendorf	Natvig	Williams
Buffington	Huff	Ontjes	Wolfe—24
Children			

Absent or not voting:

Aiken	Gesman	Powers	Smith of Lucas
Clark	Graham	Quirk	Stock
Diltz	Knutson	Ramsey	Venard
Fackler	Letts	Scott of	Wilson—20
Garber of Adair	Matthiesen	Appanoose	
Garber of Floyd	Napier		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### MOTION TO RECONSIDER LAID UPON TABLE

Storey of Warren moved to reconsider the vote by which Senate File No. 326 passed the House and lay the motion to reconsider upon the table.

Motion prevailed.

#### MEMBERS OF CONFERENCE COMMITTEE EXCUSED

On request of Carter of Hardin, members of the conference committee on Senate File No. 121 were excused from the House on account of committee work.

#### REPORT OF CONFERENCE COMMITTEE ON SUBSTITUTE FOR HOUSE FILE NO. 185 CONSIDERED

The report of the conference committee on Substitute for House File No. 185, found in the House Journal of April 22d, was taken up for consideration.

Parsons of Calhoun submitted the following supplementary report:

MR. SPEAKER: Your conference committee to whom was referred House File No. 185, a bill for an act relating to drainage, begs leave to report that it desires to file this as a supplement to its former report, and that

it recommends that paragraph twelve (12) of its former report be stricken, inasmuch as the matter covered by said paragraph twelve (12) is already taken care of in section twenty-seven-a (27-a) of the bill, and it will not, therefore, be necessary to adopt the amendment proposed by paragraph twelve (12) of the conference report.

We also recommend that the House recede from the amendment it made to Senate amendment No. 23 because this subject matter is covered in paragraph six (6) of our report.

We also recommend that the House recede from its amendment to Senate amendment No. 50 because this subject matter is covered in paragraph one (1) of our report.

THOMAS PARSONS,  
G. W. PATTERSON,  
W. C. EDSON,  
BREDE WAMSTAD,

*Conferees on part of House.*

F. C. GILCHRIST,  
J. M. SLOSSON,  
H. C. ADAMS,  
J. D. BUSER,

*Conferees on part of Senate.*

Mr. Parsons moved the adoption of the report and the supplementary report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report and supplementary report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Anderson of	Gallagher	Lichty	Rhinehart
Webster	Gibson	Lieberknecht	Robson
Bradley	Gilbert	Long	Rust
Brady	Gilbertson	Lovrien	Sampson
Brittain	Graham	McClune	Saunders
Buffington	Harrison	Mathews	Schlirmer
Children	Hattendorf	Moen	Scott of
Clark	Hauge	Natvig	Appanoose
Colbert	Healy	Noble	Scott of Fremont
Cole	Held	O'Donnell	Stookesberry
Criswell	Hempel	Oliver	Storey
Dewar	Henderson	Olson	Ulstad
Dooley	Himebauch	Ontjes	Vincent
Dotts	Hollis	Parsons	Wamstad
Edson	Johnson	Patterson	Weber
Elliott	King	Peterson	Williams
Frahm	Leonard	Rassler	Mr. Speaker—66

The nays were:

Blume                      Miller—2

## Absent or not voting:

Alken	Garber of Floyd	Napier	Slemmons
Berry	Gesman	Orr	Smith of
Blake	Gilmore	Potts	Chickasaw
Carter	Grimwood	Powers	Smith of Lucas
Diltz	Hansen	Quirk	Stock
Donhowe	Huff	Ramsey	Strippel
Doolittle	Knutson	Rankin	Venard
Edge	Lake	Rewoldt	Wilson
Fackler	Letts	Rumley	Wolfe
Forsling	Matthiesen	Schulte	Yenter—40
Garber of Adair			

The report and supplementary report of the conference committee on Substitute for House File No. 185 and the amendments proposed by said conference committee were adopted.

## CONSIDERATION OF BILLS

Senate File No. 15, a bill for an act to amend, revise, and codify chapter thirteen (13), title two (2), of the compiled code of Iowa and of the supplement to said code; also sections seven hundred fourteen (714) and seven hundred fifteen (715) of said code, and section one hundred eighteen-a one (118-a1) of the supplement to said code, relating to the filing and auditing of claims against the state, was taken up for consideration.

Hauge of Polk offered the following amendments and moved their adoption:

Amend Senate File No. 15 as follows:

Insert after the word "of" where it appears the first time in line 2 of section 1 the following: "the director of the budget," and strike from line 2 of section 1 the following: ", the secretary of the executive council,".

Also further amend said Senate File No. 15 by striking from the end of section 7 the following: "; provided, however, that said boards shall submit quarterly all claims paid, together with vouchers therefor, to the state board of audit at the seat of government, for audit, said data to be furnished within thirty (30) days from the end of said quarter." and insert in lieu thereof a period.

Also further amend said Senate File No. 15 by striking from the first line of section 11 the words "in the name" and inserting in lieu thereof "to the order".

Amendments adopted.

McClune of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Elliott	Long	Sampson
Anderson of	Frahm	Lovrien	Saunders
Webster	Gallagher	McClune	Schirmer
Blume	Garber of Adair	Mathews	Scott of
Bradley	Gibson	Moen	Appanoose
Brady	Graham	Natvig	Scott of Fremont
Brittain	Hansen	O'Donnell	Slemmons
Buffington	Harrison	Oliver	Smith of
Children	Hattendorf	Olson	Chickasaw
Clark	Hauge	Ontjes	Smith of Lucas
Colbert	Healy	Parsons	Stookesberry
Cole	Hempel	Powers	Storey
Criswell	Henderson	Quirk	Strippel
Dewar	Himebauch	Rankin	Vincent
Dooley	Hollis	Rassler	Wamstad
Dotts	King	Robson	Weber
Edge	Leonard	Rumley	Williams
Edson	Lichty	Rust	Mr. Speaker—69

The nays were:

Yeld                      Lieberknecht—2

Absent or not voting:

Berry	Gilbert	Matthiesen	Rewoldt
Blake	Gilbertson	Miller	Rhinehart
Carter	Gilmore	Napier	Schulte
Diltz	Grimwood	Noble	Stock
Donhowe	Huff	Orr	Ulstad
Doolittle	Johnson	Patterson	Venard
Fackler	Knutson	Peterson	Wilson
Forsling	Lake	Potts	Wolfe
Garber of Floyd	Letts	Ramsey	Yenter—37
Gesman			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CONSIDERATION OF SENATE AMENDMENTS

On request of Hauge of Polk, House File No. 14, a bill for an act to amend, revise, and codify sections two hundred forty-nine (249) to two hundred fifty-six (256), inclusive, two hundred fifty-eight (258) to two hundred sixty-one (261), inclusive, two hundred sixty-three (263) to two hundred sixty-nine (269), inclusive, of the compiled code of Iowa, and sections two hundred forty-eight (248) and two hundred sixty-two (262) and fifty-seven hundred forty-four (5744) of the supplement to said code, relating to the executive council and to the powers, duties, and employees thereof, with Senate amendments, was taken up and the amendments read and considered.

## SENATE AMENDMENTS

Amend section 3 by inserting after the period following the word "review" in line two (2) the following: "When arriving at values for taxable purposes the records shall show the members making the various motions, the amounts such motions designate, the values undertaken to be fixed thereby and the negative and affirmative votes thereon, and record the names of the members voting."

Amend section 11 by striking out the words "or against" after the word "of" in line 5.

Amend by striking out of the seven lines immediately following the enacting clause, where same appear, the words and figures "two hundred seventy-two (272) and two hundred seventy-three (273)".

Amend by striking out of the title, where the same appear, the words and figures "two hundred seventy-two (272), and two hundred seventy-three (273)".

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

On the question "Shall the House concur?"

The ayes were:

Aiken	Garber of Adair	Long	Sampson
Anderson of	Gibson	Lovrien	Saunders
Webster	Gilbertson	McClune	Schirmer
Berry	Graham	Mathews	Scott of
Bradley	Hansen	Miller	Appanoose
Brady	Harrison	Moen	Scott of Fremont
Brittain	Hattendorf	Natvig	Slemmons
Buffington	Hauge	Noble	Smith of
Children	Healy	O'Donnell	Chickasaw
Clark	Held	Olson	Smith of Lucas
Colbert	Hempel	Ontjes	Stookesberry
Criswell	Henderson	Parsons	Storey
Dewar	Himebauch	Powers	Strippel
Dooley	Hollis	Quirk	Vincent
Dotts	Huff	Rassler	Wamstad
Edge	King	Robson	Weber
Elliott	Leonard	Rumley	Williams
Frahm	Lichty	Rust	Mr. Speaker—71
Gallagher	Lieberknecht		

The nays were:

Blume—1

Absent or not voting:

Blake	Garber of Floyd	Matthiesen	Rewoldt
Carter	Gesman	Napier	Rhinehart
Cole	Gilbert	Oliver	Schulte
Diltz	Gilmore	Orr	Stock
Donhowe	Grimwood	Patterson	Ulstad
Doolittle	Johnson	Peterson	Venard
Edson	Knutson	Potts	Wilson
Fackler	Lake	Ramsey	Wolfe
Forsling	Letts	Rankin	Yenter—36

The House concurred in the Senate amendments to House File No. 14.

#### CONSIDERATION OF BILL

House File No. 18, a bill for an act to amend, revise, and codify section two hundred ninety-eight (298) of the compiled code of Iowa, and section two hundred ninety-seven (297) of the supplement to said code, relating to the reports of public officers, with report of committee recommending amendment and passage, was taken up for consideration.

On motion of Lovrien of Humboldt the amendments proposed by the committee, found in the Journal of March 8th, were adopted.

Mr. Lovrien moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Garber of Adair	Lichty	Rumley
Anderson of	Gibson	Lieberknecht	Sampson
Webster	Gilbertson	Long	Saunders
Berry	Gilmore	Lovrien	Schirmer
Bradley	Graham	McClune	Scott of
Brady	Hansen	Mathews	Appanoose
Brittain	Harrison	Matthiesen	Scott of Fremont
Buffington	Hattendorf	Moen	Slemmons
Clark	Hauge	Natvig	Smith of
Colbert	Healy	Noble	Chickasaw
Cole	Held	O'Donnell	Smith of Lucas
Dewar	Hempel	Olson	Storey
Dooley	Henderson	Ontjes	Strippel
Dotts	Himebauch	Parsons	Wamstad
Edge	Hollis	Powers	Weber
Elliott	Huff	Quirk	Williams
Fackler	King	Rhinehart	Mr. Speaker—68
Gallagher	Leonard	Robson	

The nays were:

Blume	Rassler	Stokesberry—3
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Absent or not voting:

Blake	Garber of Floyd	Napier	Rust
Carter	Gesman	Oliver	Schulte
Children	Gilbert	Orr	Stock
Criswell	Grimwood	Patterson	Ulstad
Diltz	Johnson	Peterson	Venard
Donhowe	Knutson	Potts	Vincent
Doolittle	Lake	Ramsey	Wilson
Edson	Letts	Rankin	Wolfe
Forsling	Miller	Rewoldt	Yenter—37
Frahm			

So the bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 121

Carter of Hardin, from the conference committee on Senate File No. 121, submitted the following report:

MR. SPEAKER: We, your conference committee, to whom was referred Senate File No. 121, beg leave to state we have had the same under consideration and have agreed to compromise the differences between the House and Senate thereon as follows:

1st. The House recedes from amendment No. 3, and paragraph 4 of section 2 of the bill as passed by the Senate is amended by adding after the period in line 13 the following sentence:

"Such writing shall contain a provision that the town shall use the funds returned to them under paragraph one of section 1 hereof in constructing and maintaining said county road."

2nd. The House recedes from its amendment No. 4.

3rd. Amend Sec. 4 as amended by the House by adding the following sentence:

"In all cases of additions the same proceedings shall be followed, in all regards, as provided for the original selection and improvement of county roads."

4th. The House recedes from its amendment No. 6.

5th. The Senate concurs in House amendment No. 7.

6th. The Senate concurs in House amendment No. 11.

7th. The Senate concurs in House amendment No. 13.

8th. The Senate concurs in House amendment No. 14, and section 35 of the bill is amended further by adding at the end of said section the following:

"Provided, however, that when such road is a primary road and such bridge is being constructed entirely with primary road funds such appropriation from each county may be a sum not exceeding thirty-five thousand dollars (\$35,000.00)."

9th. The House recedes from that part of amendment No. 15 designated as section 50-a1, and the following is substituted in lieu thereof:

"Sec. 50-a1. Any authorization, voted by the electors, and not acted upon by the letting of contracts for hard surfacing within four years after said authorization, or if contracts have been let thereunder and four years have elapsed since the letting of the last contract, may be cancelled in the following manner:

A proposition for such cancellation must be submitted by the board of supervisors upon petition of ten (10) per cent of the voters as provided upon the submission of the original proposition for authorization, and all

the proceedings as to notice and holding such election shall be the same as upon such original submission so far as practicable."

10th. The Senate concurs in that part of House amendment No. 15 following section 50-a1.

11th. The Senate concurs in House amendment No. 17 in striking out sections 53 and 54 and the following is hereby substituted as section 53:

"Sec. 53. The proposed program of improvement on primary roads shall be subject to the same approval by the highway commission as is required in other improvements on the primary roads."

12th. The Senate concurs in House amendment No. 18.

13th. That House amendment No. 19 be amended by striking out the words "one half" in line 12 of section 60-a1 and inserting in lieu thereof the words "sixty-five per cent" and that such amendment No. 19 so amended be concurred in.

14th. That the Senate concur in House amendment No. 20.

Respectfully submitted,

R. P. SCOTT,  
J. E. WICHMAN,  
W. A. CALDWELL,

*Conferees on the part of the Senate.*

L. V. CARTER,  
NELS PETERSON,  
FRANCIS JOHNSON,

*Conferees on the part of the House.*

Ordered passed on file.

On motion of Olson of Clinton the House adjourned until 10:00 a. m. Thursday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 24, 1924.

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

Prayer was offered by the Rev. W. C. Cole, Evangelist, Des Moines.

Journal of April 23d corrected and approved.

## LEAVE OF ABSENCE

On motion of Cole of Harrison, Matthiesen of Clinton was excused indefinitely, on account of illness.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 308 and 324.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 308 and 324.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this twenty-fourth day of April, 1924, sent to the Governor for his approval:

House Files Nos. 308 and 324.

C. F. LETTS, *Chairman.*

Report adopted.

## REPORT OF COMMITTEE

Hauge of Polk, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate Joint Resolution No. 2, joint resolution providing for a committee to investigate and make recommendations to the Forty-first General Assembly, relating to 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.

A. O. HAUGE, *Chairman.*

Passed on file.

## INTRODUCTION OF JOINT RESOLUTION

House Joint Resolution No. 8, by committee on judiciary, joint resolution relating to certification of teachers in certain cases and the approval of certain schools for state aid and approval of certain schools for tuition.

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

Section 1. That no regulations or orders by the state superintendent of public instruction or the board of educational examiners with reference to the qualifications of teachers in regard to having taken certain high school or collegiate courses or teachers' training courses, shall be retroactive so as to apply to any teacher who has had at least three years successful experience in teaching; and no teacher once approved for teaching in any kind of school shall be prevented by such regulations or orders from continuing to teach in the same kind of school for which he has previously been approved; provided, however, that this section shall not be construed as limiting the duties or powers of any school board in the selection of teachers, or in the dismissal of teachers for inefficiency or for any legal cause. This section is not intended in any way to lower the efficiency of teachers or the quality of instruction or the grades of the schools, but it is intended to do justice to many faithful and efficient teachers and to permit school boards to retain the services of teachers so long as they are efficient and satisfactory without applying to them new, changing and arbitrary standards.

Sec. 2. No school shall be deprived of its right to be approved for state aid or approved for tuition by reason of the employ-

ment of any teacher as authorized under the preceding section.

Sec. 3. This resolution being deemed of immediate importance shall be in effect from and after its passage and publication in the Des Moines News and Des Moines Capital, newspapers published in Des Moines, Iowa.

Read first and second times 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 adopted the report of the conference committee and concurred in the amendments proposed therein on Substitute for House File No. 185, relating to drainage.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 18, a bill for an act relating to reports of public officers, and fixing the biennial fiscal term.

Also, that the Senate has adopted Senate Concurrent Resolution No. 19, a resolution relating to recess of the General Assembly, and discharge of employees.

Also, that the Senate has concurred in the House amendment to Senate File No. 326, a bill for an act relating to the banking department.

Also, that the Senate has concurred in the House amendments to Senate File No. 15, a bill for an act relating to the filing and auditing of claims against the state.

LEON W. AINSWORTH, *Secretary*.

#### SENATE CONCURRENT RESOLUTION NO. 19

*Whereas*. The constitution provides that acts passed at an extraordinary session of the General Assembly shall take effect ninety days after the final adjournment thereof; and

*Whereas*. It is not practicable to prepare the copy for the new code and to index and publish the same within the period of ninety days; now, therefore,

*Be It Resolved by the Senate, the House concurring*: That the General Assembly on April 26, 1924, at twelve o'clock M., take a recess until July 8, 1924, at 11 o'clock A. M., and that final adjournment be had as soon thereafter as may be.

That all employees of the General Assembly except the secretary and sergeant-at-arms of the Senate and except the chief clerk and sergeant-at-arms of the House be and they hereby are discharged on April 26, 1924, at twelve o'clock M., except as otherwise provided in Senate Concurrent Resolution No. 18.

That the secretary and sergeant-at-arms of the Senate and the chief clerk and sergeant-at-arms of the House and the members of the General Assembly shall not receive any compensation during such recess, except as provided in Senate Concurrent Resolution No. 18.

Laid over under rule 34.

#### REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 84

Lake of Woodbury, from the conference committee on House File No. 84, submitted the following report:

**MR. SPEAKER:** Your conference committee to whom was referred House File No. 84, to compose the differences between it and the House in relation to said bill, beg leave to report that they have had the same under consideration and recommend as follows:

- (1) That the House accept the Senate amendment to section 345.
- (2) Amend section 472 by adding subsection three:
  3. Demerits shall not be entered against any prisoner for failure or inability to perform a given task after honest effort.
- (3) That the Senate recede from the Bowman amendment to section 461.

That section 461 of the bill be stricken and the following adopted in lieu thereof:

#### Sec. 461. Employment of prisoners.

Prisoners in the penitentiary or men's reformatory shall be employed only on state account in the maintenance of the institutions, in the erection, repair or operation of buildings and works used in connection with said institutions, and in such industries as may be established and maintained in connecton therewith by the board of control.

The board of control may make such contracts with any person, firm or corporation, as may be necessary for the employment of prisoners as are not being used in the production of supplies and materials and in road construction work as provided in this chapter. Such contracts shall not extend beyond July first, nineteen hundred twenty-seven (1927).

Such contracts shall contain a provision that the number of men employed thereunder shall be subject to reduction at all times to meet the necessities of the state use system as herein provided.

Such contracts shall not be entered into upon a less basis or price than a basis or price approximately equal to the wages paid free labor of like character for a like service or its equivalent. In arriving at said basis or price, the board may take into consideration the approximate value of such prison labor and the approximate value of the product of such prison labor on the market as compared with the price of free labor and the product of free labor.

#### Section 461-a.

The board of control shall, as promptly as the funds are available and

consistent with the best interest of the state, establish at the penitentiary and men's reformatory such industries, to be operated by convict labor, as will supply such articles used in public institutions or public works as in the judgment of the board can be made by convict labor.

FRANK C. LAKE,

T. L. WOLFE,

GEO. W. POTTS,

E. A. GRIMWOOD,

*Conferees on part of House.*

GEO. B. PERKINS,

J. L. BROOKHART,

A. T. BROOKINS,

M. L. BOWMAN,

*Conferees on part of Senate.*

#### COMMUNICATION FROM THE ATTORNEY GENERAL

STATE OF IOWA  
DEPARTMENT OF JUSTICE  
DES MOINES.

April 24, 1924.

HON. FRANK C. LAKE, *Chairman Conference Committee,*  
House of Representatives,  
Building.

Dear Sir: The conference committee of the General Assembly to whom was referred House File No. 84 has requested this department for an opinion relative to the interpretation which will be given by this department to the amendment proposed by such committee to section 461 of the bill. You have particularly asked as to whether or not the board of control may under this amended section enter into contracts such as those now existing between the board of control and certain manufacturing corporations for the manufacture of shirts and aprons at the state penitentiary and the men's reformatory.

You are advised that after giving this matter the most careful consideration, we have reached the conclusion that under this proposed amendment the board of control may enter into contracts similar in character to those referred to. In making such contracts, the board is required to secure a consideration for the state which is fair and reasonable. The amendment contains the provision that "Such contracts shall not be entered into upon a less basis or price than a basis or price approximately equal to the wages paid free labor of like character for a like service or its equivalent. In arriving at said basis or price, the board may take into consideration the approximate value of such prison labor and the approximate value of the product of such prison labor on the market as compared with the price of free labor and the product of free labor."

The board is required under this paragraph to fix the consideration to be received by the state and in fixing such consideration, the board shall fix it at an amount which will secure for the labor performed a price approximately equal to the wages paid free labor of like character for a like service

or its equivalent. The board is not, however, required under this paragraph to secure for prison labor the price of free labor, but in the exercise of its discretion it may take into consideration the approximate value of prison labor as such, as well as the approximate value of the product of prison labor as such.

We are, therefore, firmly of the opinion that this amendment in the law means that the board of control shall honestly and fairly determine the question of the consideration to be received by the state, giving consideration to the limitations referred to and we are further of the opinion that, if the board exercises its discretion honestly, that its determination is final.

There is another limitation on the right of the board, which perhaps should be mentioned in this letter, and that is that the board in determining the number of prisoners to be employed on a contract shall make the contract subject to the provision that in the exercise of its discretion the board may reduce the number so employed to the end that there may be ample prison labor to carry out and put into effect the state use plan as otherwise provided in the act.

In consultation with the committee, I was impressed with the thought that this was the purpose and thought of the committee itself in drafting and adopting the amendment referred to.

Respectfully submitted,

(Signed) BEN J. GIBSON, *Attorney General*.

Williams of Montgomery moved that the report of the conference committee, together with an opinion rendered by the attorney general, be printed in the Journal and taken up for consideration tomorrow morning.

Vincent of Guthrie moved as a substitute motion that the conference committee report be passed on file and taken up at 4:00 o'clock this afternoon.

Dewar of Cherokee moved that a sufficient number of copies of the report of the conference committee and the opinion of the attorney general be mimeographed, at the earliest convenience of the clerk, to supply copies of the same to each member.

Doolittle of Delaware raised the point of order that the amendment proposed by the conference committee adding subsection three to section 472 was not a matter of difference between the House and the Senate and was therefore out of order.

The Speaker ruled that the point of order was not well taken.

The motion by Dewar of Cherokee prevailed.

The substitute motion by Vincent of Guthrie prevailed.

## AMENDMENT FILED

Criswell of Boone filed the following amendment to Senate Concurrent Resolution No. 19:

Amend Senate Concurrent Resolution No. 19 by striking the word and figure "July 8" and insert the word and figures "August 26".

On motion of Peterson of Henry the House adjourned until 4:00 p. m. today.

## AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

## 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 amendments proposed on Senate File No. 169, a bill for an act relating to street improvements.

Also, that the Senate has adopted the report of the conference committee and concurred in the amendments proposed therein, on Senate File No. 121, a bill for an act relating to the county road, bridge, and culvert system.

LEON W. AINSWORTH, *Secretary.*

## REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 169

**MR. SPEAKER:** Your conference committee to whom was referred the disagreements between the Senate and House on Senate File No. 169, beg leave to report that they have had the same under consideration and submit the following recommendations:

1. The Senate concurs in House amendment No. 1 to section 4, House amendment No. 2 to section 6, House amendment No. 5 to section 15, House amendment No. 6 to section 19, House amendment No. 7 to section 23, House amendment No. 8 to section 24, House amendment No. 9 to section 30, House amendment No. 11 to section 42, House amendment No. 12 to section 60, House amendment No. 13 to section 69.

2. Amends and concurs in House amendment No. 3 to section 13 as follows: by striking all after the word "by" in line 4 and inserting in lieu thereof "sixty per cent (60%) of the property owners and by the owners of seventy-five per cent (75%) of the property subject to assessment".

3. The House recedes from its first amendment in No. 4 to section 14.

4. The Senate concurs in the House second amendment in No. 4 to section 14.

5. Amends and concurs in House amendment No. 10 to section 41 by

inserting the words "of any lot" after the word "owner" where same appears in next to the last line of said amendment.

6. The House recedes from House amendment No. 14, section 70.

7. Amends and concurs by striking the word and figures "ten (10)" and inserting the word and figures "fifteen (15)" in section 19, line 5.

W. R. BLAKE,  
F. B. GILBERT,  
RAY YENTER,  
T. B. STOCK,

*Conferees on part of House.*

W. G. HASKELL,  
E. M. SMITH,  
W. S. BAIRD,  
C. J. FULTON,

*Conferees on part of Senate.*

Blake of Fayette moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Alken	Fackler	Lieberknecht	Rumley
Anderson of	Frahm	Long	Rust
Webster	Gallagher	Lovrien	Sampson
Berry	Gibson	McClune	Saunders
Blake	Gilbertson	Mathews	Schirmer
Blume	Gilmore	Miller	Schulte
Bradley	Grimwood	Moen	Scott of
Brady	Harrison	Napier	Appanoose
Brittain	Hattendorf	Natvig	Scott of Fremont
Buffington	Hauge	Noble	Slemmons
Carter	Healy	O'Donnell	Smith of
Children	Held	Ontjes	Chickasaw
Clark	Hempel	Parsons	Smith of Lucas
Colbert	Henderson	Patterson	Stock
Cole	Himebauch	Peterson	Stokesberry
Criswell	Holls	Potts	Storey
Dewar	Huff	Powers	Ulstad
Diltz	Johnson	Quirk	Venard
Dooley	King	Ramsey	Wamstad
Doolittle	Knutson	Rankin	Weber
Dotts	Lake	Rassler	Williams
Edge	Leonard	Rewoldt	Wolfe
Edson	Letts	Rhinehart	Yenter
Elliott	Lichty	Robson	Mr. Speaker—93

The nays were:

Oliver—1

## Absent or not voting:

Donhowe	Gesman	Matthiesen	Strippel
Forsling	Gilbert	Olson	Vincent
Garber of Adair	Graham	Orr	Wilson—14
Garber of Floyd	Hansen		

The report of the conference committee on Senate File No. 169 and the amendments proposed by said conference committee were adopted.

## CONFERENCE COMMITTEE REPORT CONSIDERED

The report of the conference committee on Senate File No. 121, found in the House Journal of April 23d, was taken up for consideration.

Carter of Hardin submitted the following supplementary report:

MR. SPEAKER: Your conference committee to whom was referred Senate File No. 121, beg leave to report that inadvertently one matter was left out of the conference report already filed, and we desire to file the following supplementary report thereto:

Add after the comma following the word "road" in line five (5) of section 60-a1 of the House amendment, the following words: "county road building,".

L. V. CARTER,  
FRANCIS JOHNSON,  
NELS PETERSON,

*Conferees on the part of the House.*

R. P. SCOTT,  
W. A. CALDWELL,  
J. E. WICHMAN,

*Conferees on the part of the Senate.*

Mr. Carter moved the adoption of the report and supplementary report of the conference committee and the amendments proposed by said conference committee.

On the question "Shall the report and the supplementary report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Blake	Colbert	Dotts	Gibson
Bradley	Cole	Edson	Gilbertson
Buffington	Diltz	Elliott	Gilmore
Carter	Donhowe	Forsling	Graham
Clark	Doolittle	Gallagher	Grimwood

Hansen	Long	Ramsey	Smith of
Hauge	Lovrien	Rankin	Chickasaw
Healy	McClune	Rewoldt	Stock
Held	Mathews	Rhinehart	Storey
Hollis	Moen	Robson	Ulstad
Johnson	O'Donnell	Rumley	Weber
King	Olson	Rust	Wolfe
Knutson	Ontjes	Schirmer	Yenter
Lake	Peterson	Scott of Fremont	Mr. Speaker—58
Lichty	Potts	Slemmons	

## The nays were:

Aiken	Fackler	Napier	Saunders
Anderson of	Frahm	Natvig	Schulte
Webster	Harrison	Noble	Scott of
Berry	Hattendorf	Oliver	Appanoose
Blume	Hempel	Parsons	Smith of Lucas
Brady	Henderson	Patterson	Stokesberry
Brittain	Himebauch	Powers	Venard
Children	Huff	Quirk	Vincent
Dewar	Leonard	Rassler	Wamstad
Dooley	Lieberknecht	Sampson	Williams—40
Edge	Miller		

## Absent or not voting:

Criswell	Gesman	Matthiesen	Strippel
Garber of Adair	Gilbert	Orr	Wilson—10
Garber of Floyd	Letts		

The report and supplementary report of the conference committee on Senate File No. 121 and the amendments proposed by said conference committee were adopted.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT ON  
HOUSE FILE NO. 84

The report of the conference committee on House File No. 84 was taken up for consideration.

Lake of Woodbury moved the adoption of the report of the conference committee and the amendments proposed by said conference committee.

Hauge of Polk moved the previous question.

Motion prevailed.

On the question "Shall the report of the conference committee and the amendments proposed by said conference committee be adopted?"

The ayes were:

Aiken	Elliott	McClune	Scott of
Anderson of	Forsling	Mathews	Appanoose
Webster	Gilbert	O'Donnell	Stock
Berry	Graham	Olson	Stookesberry
Blake	Grimwood	Peterson	Ulstad
Blume	Harrison	Potts	Wamstad
Brady	Himebauch	Ramsey	Weber
Clark	Huff	Rankin	Wolfe
Criswell	Knutson	Rassler	Yenter
Diltz	Lake	Rewoldt	Mr. Speaker—41
Donhowe	Lichty	Rumley	

The nays were:

Bradley	Gallagher	Leonard	Rhinehart
Brittain	Garber of Adair	Lieberknecht	Robson
Buffington	Gibson	Long	Rust
Carter	Gilbertson	Lovrien	Sampson
Children	Gilmore	Miller	Saunders
Colbert	Hansen	Moen	Schirmer
Cole	Hattendorf	Napier	Schulte
Dewar	Hauge	Natvig	Scott of Fremont
Dooley	Healy	Noble	Stemmons
Doolittle	Held	Oliver	Smith of
Dotts	Hempel	Ontjes	Chickasaw
Edge	Henderson	Parsons	Smith of Lucas
Edson	Hollis	Patterson	Venard
Fackler	Johnson	Powers	Vincent
Frahm	King	Quirk	Williams—59

Absent or not voting:

Garber of Floyd	Letts	Orr	Strippel
Gesman	Matthiesen	Storey	Wilson—8

The report of the conference committee and the amendments proposed by said conference committee on House File No. 84 were rejected.

#### CALL OF THE HOUSE

MR. SPEAKER: We, the undersigned members of the House, hereby request a call of the House during the consideration of House File No. 84.

A. O. HAUGE  
ALFRED WILLIAMS  
THOMAS PARSONS  
WM. L. LONG  
OLE NATVIG

The roll was called to ascertain the absentees.

Those present were:

Aiken	Berry	Bradley	Carter
Anderson of	Blake	Brady	Children
Webster	Blume	Buffington	Clark

Colbert	Hattendorf	Moen	Saunders
Cole	Hauge	Napler	Schirmer
Criswell	Healy	Natvig	Schulte
Dewar	Held	Noble	Scott of
Donhowe	Hempel	O'Donnell	Appanoose
Dooley	Henderson	Oliver	Scott of Fremont
Doolittle	Himebauch	Olson	Slemmons
Dotts	Hollis	Ontjes	Smith of
Edge	Huff	Parsons	Chickasaw
Edson	Johnson	Patterson	Smith of Lucas
Elliott	King	Potts	Stock
Fackler	Knutsen	Powers	Stookesberry
Forsling	Lake	Quirk	Storey
Frahm	Leonard	Ramsey	Ulstad
Gallagher	Letts	Rankin	Venard
Garber of Adair	Lichty	Rassler	Vincent
Gibson	Lieberknecht	Rewoldt	Wamstad
Gilbertson	Long	Rhinehart	Weber
Gilmore	Lovrien	Robson	Williams
Graham	McClune	Rumley	Wolfe
Grimwood	Mathews	Rust	Yenter
Hansen	Miller	Sampson	Mr. Speaker—98
Harrison			

Those absent were:

Brittain	Gesman	Orr	Strippel
Diltz	Gilbert	Peterson	Wilson—10
Garber of Floyd	Matthiesen		

Clark of Linn moved that in the appointment of a second conference committee on House File No. 84, the Speaker be requested to appoint three members voting in the negative on the adoption of the first conference committee report and one member voting in the affirmative on said report.

A roll call was demanded on the motion.

The ayes were:

Bradley	Gilbertson	Lovrien	Rust
Brittain	Gilmore	McClune	Sampson
Buffington	Grimwood	Mathews	Schulte
Carter	Hattendorf	Miller	Scott of Fremont
Clark	Hauge	Moen	Slemmons
Cole	Healy	Natvig	Smith of
Dewar	Held	Noble	Chickasaw
Dooley	Hempel	Oliver	Stookesberry
Doolittle	Henderson	Parsons	Venard
Edson	Johnson	Patterson	Vincent
Elliott	King	Powers	Wamstad
Frahm	Lichty	Quirk	Williams
Garber of Adair	Lieberknecht	Rhinehart	Wolfe—54
Gibson	Long	Robson	

The nays were:

Aiken	Blake	Colbert	Edge
Anderson of	Blume	Criswell	Forsling
Webster	Brady	Donhowe	Gallagher
Berry	Children	Dotts	Harrison

Himebauch	Napier	Rankin	Scott of
Hollis	O'Donnell	Rassler	Appanoose
Huff	Olson	Rewoldt	Smith of Lucas
Knutson	Ontjes	Rumley	Stock
Lake	Potts	Saunders	Ulstad
Leonard	Ramsey		Weber—37

## Absent or not voting:

Diltz	Graham	Orr	Strippel
Fackler	Hansen	Peterson	Wilson
Garber of Floyd	Letts	Schirmer	Yeñter
Gesman	Matthiesen	Storey	Mr. Speaker—17
Gilbert			

Motion by Clark of Linn prevailed.

## APPOINTMENT OF SECOND CONFERENCE COMMITTEE

As a second conference committee on House File No. 84, the Speaker appointed the following members on the part of the House: Doolittle of Delaware, Rankin of Lee, Children of Pottawattamie and Hauge of Polk.

Hauge of Polk moved that all members excused indefinitely be excused from the call of the House.

Motion prevailed.

On motion of Harrison of Pottawattamie, Blake of Fayette was excused from the call of the House.

Hauge of Polk moved that the call of the House be now raised, to be reinstated at 10:00 a. m. Friday morning.

Motion prevailed.

On motion of Hauge of Polk the House adjourned until 10:00 a. m. Friday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 25, 1924.

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

Prayer was offered by the Rev. L. G. Krebs, pastor of St. Paul's Evangelical Lutheran Church, Des Moines.

Journal of April 24th corrected and approved.

On motion of Venard of Sioux, rule 63 was suspended for the remainder of the session.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 191 and 326.

House Files Nos. 65, 66, 236, 306, 326, 327.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Himebauch of Emmet, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 7, 186, 281, 324, 323, 325, 322 and 319.

House Files Nos. 34, 68, 213, 328.

House Joint Resolution No. 6.

FRED S. HIMEBAUCH, *Acting Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## REPORT OF COMMITTEE CONSIDERED

The report of the committee on appropriations on Senate Joint Resolution No. 2, recommending indefinite postponement, was taken up for consideration.

Fackler of Adams moved the adoption of the report of committee.

Anderson of Webster moved the previous question.

Motion prevailed.

On the question "Shall the report of the committee on Senate Joint Resolution No. 2, recommending indefinite postponement, be adopted?" a roll call was demanded and rule 18 was invoked.

The ayes were:

Aiken	Gibson	Napier	Rust
Anderson of Webster	Gilbertson	Natvig	Schirmer
Berry	Hansen	Noble	Schulte
Blume	Hattendorf	O'Donnell	Scott of
Brady	Held	Orr	Appanoose
Brittain	Hempel	Parsons	Slemmons
Carter	Henderson	Patterson	Smith of Lucas
Children	Himebauch	Potts	Stock
Colbert	King	Powers	Stokesberry
Criswell	Knutson	Quirk	Storey
Dewar	Leonard	Ramsey	Strippel
Dooley	Letts	Rassler	Ulstad
Dotts	Lieberknecht	Rewoldt	Venard
Fackler	McClune	Rhinehart	Wamstad
Frahm	Mathews	Robson	Wolfe
	Miller	Rumley	Mr. Speaker—62

The nays were:

Bradley	Garber of Adair	Lichty	Sampson
Buffington	Gilmore	Long	Saunders
Clark	Grimwood	Lovrien	Scott of Fremont
Cole	Hauge	Moen	Smith of
Donhowe	Healy	Oliver	Chickasaw
Edge	Hollis	Olson	Vincent
Edson	Huff	Ontjes	Weber
Elliott	Johnson	Peterson	Williams
Forsling	Lake	Rankin	Yenter—36
Gallagher			

Absent or not voting:

Blake	Garber of Floyd	Graham	Matthiesen
Diltz	Gesman	Harrison	Wilson—10
Doolittle	Gilbert		

The report of the committee on appropriations was adopted and Senate Joint Resolution No. 2 was indefinitely postponed.

## MOTION TO RECONSIDER LAID UPON TABLE

Rassler of Pocahontas moved to reconsider the vote by which Senate Joint Resolution No. 2 was indefinitely postponed and lay the motion to reconsider upon the table.

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 President has appointed as the second conference committee on House File No. 84, a bill for an act relating to the board of control, Senators Goodwin, Tuck, Ethell and Mantz.

LEON W. AINSWORTH, *Secretary*.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 34, 68, 213, 328, 65, 66, 236, 306, 326 and 327; House Joint Resolution No. 6; Senate Files Nos. 191, 326, 7, 186, 324, 323, 325, 322, 281 and 319.

## CONSIDERATION OF JOINT RESOLUTION

House Joint Resolution No. 8, joint resolution relating to certification of teachers in certain cases and the approval of certain schools for state aid and approval of certain schools for tuition, was taken up for consideration.

Storey of Warren offered the following amendment and moved its adoption:

Amend House Joint Resolution No. 8 by striking out the last sentence of section one (1); also amend the publication clause by striking out the word "News" and inserting in lieu thereof the word "Register".

McClunę of Mahaska in the chair.

Amendment by Storey of Warren was adopted.

Vincent of Guthrie offered the following amendments and moved their adoption:

Amend House Joint Resolution No. 8 by adding the following:

"Section 3. That the approval of the executive council to the expenditure of the mining camp school fund appropriation shall be withheld until there is submitted to them by the state superintendent of public instruc-

tion, a comprehensive program showing the entire proposed expenditure of the appropriation for the year under consideration and not until all of the mining camp schools applying for funds from said appropriation have been duly notified of said contemplated division and of the time and place when said proposed division of such funds are to be passed upon by the executive council.

Notice of the hearing by the executive council shall be given by registered mail, addressed to the secretary of each such mining camp school board and mailed at least ten days prior to the time fixed for the hearing before the executive council."

Renumber section 3 as section 4.

Amend the title by adding the following: "and expenditure of appropriation for mining camp schools."

Brittain of Madison moved the previous question on the joint resolution and pending amendments.

Williams of Montgomery moved that the House adjourn until 1:30 p. m.

Dewar of Cherokee moved to amend the motion by changing the hour from 1:30 p. m. to 1:00 p. m.

Amendment adopted.

Motion of Williams of Montgomery, as amended, prevailed.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### BUSINESS PENDING

The House resumed consideration of House Joint Resolution No. 8.

The question before the House was on the motion of Brittain of Madison that the previous question be ordered.

Motion prevailed.

#### CALL OF THE HOUSE

MR. SPEAKER: We, the undersigned, ask for a call of the House pending the consideration of and final vote upon House Joint Resolution No. 8 and pending amendments.

L. V. CAETER  
W. C. EDSON  
HEIKE A. RUST  
C. F. CLARK  
E. A. GRIMWOOD  
F. C. SAMPSON

The roll was called to ascertain the absentees.

## Those present were:

Aiken	Gilbert	Mathews	Sampson
Anderson of Webster	Gilbertson	Miller	Saunders
Berry	Gilmore	Moen	Schirmer
Blume	Graham	Napier	Schulte
Bradley	Grimwood	Natvig	Scott of Appanoose
Brady	Harrison	Noble	Scott of Fremont
Buffington	Hattendorf	O'Donnell	Stemmons
Carter	Healy	Oliver	Smith of Chickasaw
Children	Held	Olson	Smith of Lucas
Clark	Hempel	Ontjes	Stock
Colbert	Henderson	Orr	Stookesberry
Colwell	Himebauch	Parsons	Storey
Criswell	Hollis	Patterson	Strippel
Donhowe	Huff	Peterson	Ulstad
Dooley	Johnson	Potts	Venard
Dotts	King	Powers	Vincent
Edge	Knutson	Quirk	Wamstad
Edson	Lake	Ramsey	Weber
Elliott	Leonard	Rassler	Williams
Fackler	Lichty	Rewoldt	Wolfe
Forsling	Lieberknecht	Rhinehart	Yenter
Frahm	Long	Robson	Mr. Speaker—94
Gallagher	Lovrien	Rumley	
Garber of Adair	McClune	Rust	
Gibson			

## Those absent were:

Blake	Diltz	Hansen	Mathiesen
Brittain	Doolittle	Hauge	Rankin
Cole	Garber of Floyd	Letts	Wilson—14
Dewar	Gesman		

Forsling of Woodbury moved that the call of the House be now raised.

On the question "Shall the call of the House be raised?" a roll call was demanded.

## The ayes were:

Anderson of Webster	Graham	Natvig	Smith of Chickasaw
Berry	Harrison	Noble	Smith of Lucas
Brady	Healy	O'Donnell	Stock
Colbert	Held	Olson	Storey
Dotts	Hempel	Orr	Venard
Fackler	Knutson	Patterson	Vincent
Forsling	Lake	Potts	Wamstad
Frahm	Leonard	Quirk	Weber
Gilbert	Lieberknecht	Ramsey	Yenter
Gilbertson	Mathews	Rumley	Mr. Speaker—42
	Napier	Schulte	

## The nays were:

Aiken	Carter	Dooley	Gallagher
Blume	Clark	Edge	Gibson
Bradley	Criswell	Edson	Grimwood
Buffington	Donhowe	Elliott	Hattendorf

Henderson	McClune	Rewoldt	Scott of Fremont
Himebauch	Miller	Rhinehart	Slemmons
Hollis	Moen	Robson	Stookesberry
Huff	Oliver	Rust	Strippel
Johnson	Ontjes	Sampson	Ulstad
King	Parsons	Saunders	Williams
Lichty	Peterson	Schirmer	Wolfe—49
Long	Powers	Scott of	
Lovrien	Rassler	Appanoose	

## Absent or not voting:

Blake	Diltz	Gesman	Letts
Brittain	Doolittle	Gilmore	Matthiesen
Children	Garber of Adair	Hansen	Rankin
Cole	Garber of Floyd	Hauge	Wilson—17
Dewar			

The motion to raise the call of the House was lost.

Strippel of Benton moved that Cole of Harrison be excused from the call of the House on account of illness in his family.

Vincent of Guthrie raised the point of order that the call of the House was out of order, inasmuch as the previous question had been ordered at the time the call was filed.

The Speaker ruled that the point was well taken.

On the question "Shall the amendment by Vincent of Guthrie be adopted?" a roll call was demanded and rule 18 was invoked.

## The ayes were:

Bradley	Gilmore	Lichty	Rhinehart
Carter	Graham	Lieberknecht	Robson
Clark	Grimwood	Long	Rust
Colbert	Hansen	Lovrien	Sampson
Donhowe	Hauge	McClune	Schirmer
Doolittle	Healy	Mathews	Scott of Fremont
Edge	Held	O'Donnell	Smith of
Edson	Henderson	Peterson	Chickasaw
Fackler	Himebauch	Powers	Vincent
Gallagher	Hollis	Ramsey	Weber
Garber of Adair	Johnson	Rankin	Williams—46
Gilbert	Knutson		

## The nays were:

Aiken	Dotts	King	Orr
Anderson of	Elliott	Lake	Parsons
Webster	Forsling	Leonard	Patterson
Berry	Frahm	Miller	Potts
Blume	Gibson	Napier	Quirk
Brady	Gilbertson	Natvig	Rassler
Buffington	Harrison	Noble	Rewoldt
Children	Hattendorf	Oliver	Rumley
Criswell	Hempel	Olson	Saunders
Dooley	Huff	Ontjes	Schulte

Scott of Appanoose	Stock Stookesberry	Ulstad Venard	Wolfe Mr. Speaker—51
Slemmons	Storey	Wamstad	
Smith of Lucas	Strippel		

## Absent or not voting:

Blake	Dewar	Gesman	Wilson
Brittain	Diltz	Letts	Yenter—11
Cole	Garber of Floyd	Matthiesen	

The amendment by Vincent of Guthrie was rejected.

The following amendment filed by Berry of Monroe was taken up for consideration:

Amend House Joint Resolution No. 8, section 1, by striking from lines one and two the words "the state superintendent of public instruction or".

Mr. Berry moved the adoption of the amendment.

On the question "Shall the amendment be adopted?" a roll call was demanded and rule 18 was invoked.

## The ayes were:

Aiken	Gibson	Napier	Rumley
Anderson of Webster	Gilbertson	Natvig	Scott of Appanoose
Berry	Graham	Noble	Scott of Fremont
Blume	Harrison	Olson	Slemmons
Buffington	Hattendorf	Ontjes	Smith of Lucas
Colbert	Hempel	Orr	Stookesberry
Criswell	Huff	Parsons	Storey
Dooley	King	Patterson	Ulstad
Dotts	Leonard	Quirk	Venard
Fackler	Long	Rassler	Wolfe—43
Frahm	Miller	Rewoldt	

## The nays were:

Bradley	Grimwood	Lovrien	Sampson
Carter	Hansen	McClune	Schirmer
Clark	Healy	Mathews	Smith of Chickasaw
Donhowe	Held	Moen	Stock
Edge	Henderson	O'Donnell	Strippel
Edson	Himebauch	Oliver	Vincent
Elliott	Hollis	Peterson	Wamstad
Forsling	Johnson	Powers	Weber
Gallagher	Knutson	Ramsey	Williams
Garber of Adair	Lake	Rhinehart	Mr. Speaker—46
Gilbert	Lichty	Robson	
Gilmore	Lieberknecht	Rust	

## Absent or not voting:

Blake	Dewar	Hauge	Saunders
Brady	Diltz	Letts	Schulte
Brittain	Doolittle	Matthiesen	Wilson
Children	Garber of Floyd	Potts	Yenter—19
Cole	Gesman	Rankin	

The amendment by Berry of Monroe was rejected.

Criswell of Boone moved that Stookesberry of Davis be excused indefinitely.

Motion prevailed.

Clark of Linn moved that the House recess until 7:30 p. m. today.

On the question "Shall the House now recess until 7:30 p. m. today?" a roll call was demanded.

The ayes were:

Brady	Gallagher	Healy	Robson
Carter	Gilbert	Held	Rust
Clark	Gilmore	Hollis	Sampson
Elllott	Grimwood	Lovrien	Vincent—19
Forsling	Hansen	Oliver	

The nays were:

Anderson of	Hattendorf	Natvig	Scott of
Webster	Hempel	Noble	Appanoose
Berry	Henderson	O'Donnell	Scott of Fremont
Blume	Himebauch	Olson	Slemmons
Buffington	Huff	Orr	Smith of
Colbert	Johnson	Parsons	Chickasaw
Criswell	King	Patterson	Smith of Lucas
Donhowe	Knutson	Peterson	Stock
Dooley	Lake	Powers	Stookesberry
Dotts	Leonard	Quirk	Storey
Edge	Lichty	Ramsey	Strippel
Edson	Lieberknecht	Rassler	Ulstad
Fackler	Long	Rewoldt	Venard
Frahm	McClune	Rumley	Wamstad
Gibson	Mathews	Saunders	Weber
Gilbertson	Miller	Schirmer	Wolfe
Graham	Moen	Schulte	Mr. Speaker—67
Harrison	Napier		

Absent or not voting:

Aiken	Dewar	Hauge	Rankin
Blake	Diltz	Letts	Rhinehart
Bradley	Doolittle	Matthiesen	Williams
Brittain	Garber of Adair	Ontjes	Wilson
Children	Garber of Floyd	Potts	Yenter—22
Cole	Gesman		

The motion to recess was lost.

Clark of Linn moved that the joint resolution be read a third time now and placed on its passage which motion prevailed and the joint resolution was read a third time.

On the question "Shall the joint resolution pass?"

The ayes were:

Anderson of	Gilbert	Long	Robson
Webster	Gilmore	Lovrien	Rust
Bradley	Graham	McClune	Sampson
Brittain	Grimwood	Mathews	Saunders
Carter	Hauge	Moen	Schirmer
Clark	Healy	Natvig	Smith of
Colbert	Held	Noble	Chickasaw
Dewar	Hempel	O'Donnell	Stock
Donhowe	Henderson	Parsons	Stookesberry
Doolittle	Himebauch	Peterson	Storey
Edge	Hollis	Powers	Vincent
Edson	Johnson	Quirk	Weber
Fackler	Lake	Ramsey	Williams
Forsling	Letts	Rankin	Yenter
Gallagher	Lichty	Rhinehart	Mr. Speaker—60
Garber of Adair	Lieberknecht		

The nays were:

Aiken	Gibson	Napier	Scott of Fremont
Berry	Gilbertson	Oliver	Slemmons
Blume	Hansen	Olson	Smith of Lucas
Brady	Harrison	Orr	Strippel
Buffington	Hattendorf	Rassler	Ulstad
Children	Huff	Rewoldt	Venard
Criswell	King	Rumley	Wamstad
Dooley	Knutson	Schulte	Wolfe—37
Dotts	Leonard	Scott of	
Frahm	Miller	Appanoose	

Absent or not voting:

Blake	Elliott	Matthiesen	Potts
Cole	Garber of Floyd	Ontjes	Wilson—11
Diltz	Gesman	Patterson	

The joint resolution having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### MOTION TO RECONSIDER LAID UPON TABLE

Clark of Linn moved to reconsider the vote by which House Joint Resolution No. 8 passed the House and lay the motion to reconsider upon the table.

Motion prevailed.

#### BILLS SENT TO THE GOVERNOR

Himebauch of Emmet, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports

that it has, on this twenty-fifth day of April, 1924, sent to the Governor for his approval:

House Files Nos. 34, 68, 213, 328, and House Joint Resolution No. 6.

FRED S. HIMEBAUCH, *Acting Chairman.*

Report adopted.

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this twenty-fifth day of April, 1924, sent to the Governor for his approval:

House Files Nos. 236, 306, 326, 327, 65, 66.

C. F. LETTS, *Chairman.*

Report adopted.

#### REPORTS OF SECOND CONFERENCE COMMITTEE ON HOUSE FILE NO. 84

Doolittle of Delaware, from the second conference committee on House File No. 84, submitted the following report and supplementary report:

MR. SPEAKER: Your conference committee to whom was referred the disagreement between the House and the Senate on House File No. 84, a bill for an act to amend, revise and codify title nine (9) and chapters fifteen (15) and sixteen (16) of the compiled code and of the supplement to said code relating to charitable, correctional and penal institutions and the juvenile court beg leave to report that they have had the same under consideration and recommend the following:

1. That the House concur in the Senate amendments to section 345.
2. That the following Substitute for the Senate amendment to section 461 be adopted.

The Board shall not permit such services to be rendered to a private party at a less wage than is paid free labor for like service or its equivalent, taking into consideration all the elements that enter into the value of prison labor, and the decision of the Board of Control in that respect shall be final.

CLYDE H. DOOLITTLE,  
A. O. HAUGE,  
W. C. CHILDREN,  
JNO. M. RANKIN,  
*Conferees of the House.*

W. J. GOODWIN,  
H. J. MANTZ,  
J. C. TUCK,  
JOHN J. ETHELL,  
*Conferees of the Senate.*

MR. SPEAKER: Your conference committee on House File No. 84, beg leave to submit the following supplemental report:

Amend the report of said conference committee by striking out the period in the last line thereof and adding thereto the following: "after approval by the appeal board provided for by chapter 3-A of Senate File No. 7, acts of the Fortieth General Assembly of Iowa, Special Session.

CLYDE H. DOOLITTLE,

A. O. HAUGE,

JNO. M. RANKIN,

*Conferees on part of the House.*

W. J. GOODWIN,

J. C. TUCK,

JOHN J. ETHELL,

*Conferees on part of the Senate.*

Himebauch of Emmet moved that the reports be mimeographed at the earliest convenience of the clerk and that a copy of each be furnished to each member.

Motion lost.

Elliott of Scott moved that the House now recess until 7:00 p. m. and that mimeograph copies of the reports be made and placed on the desk of each member.

Carter of Hardin moved to amend the motion by changing the hour from 7:00 p. m. to 7:30 p. m.

On the question "Shall the amendment be adopted?" a roll call was demanded.

The ayes were:

Blume	Forsking	Letts	Sampson
Brady	Gallagher	Lichty	Saunders
Carter	Garber of Adair	O'Donnell	Scott of
Children	Held	Olson	Appanoose
Clark	Henderson	Potts	Storey
Colbert	Himebauch	Powers	Weber
Criswell	Hollis	Rankin	Williams
Dewar	Knutson	Rassler	Wolfe
Dotts	Lake	Rust	Yenter—37
Edson	Leonard		

The nays were:

Anderson of	Edge	Graham	Hempel
Webster	Elliott	Grimwood	Huff
Berry	Fackler	Hansen	Johnson
Buffington	Frahm	Harrison	King
Donhowe	Gibson	Hattendorf	Lieberknecht
Dooley	Gilbertson	Hauge	Long
Doolittle	Gilmore	Healy	Lovrien

McClune	Orr	Robson	Slemmons
Mathews	Parsons	Rumley	Smith of Lucas
Miller	Patterson	Schirmer	Stock
Moen	Peterson	Schulte	Stookesberry
Napier	Quirk	Scott of	Strippel
Natvig	Ramsey	Fremont	Vincent
Noble	Rewoldt	Smith of	Wamstad
Oliver	Rhinehart	Chickasaw	Mr. Speaker—57

Absent or not voting:

Alken	Cole	Gilbert	Ulstad
Blake	Diltz	Matthiesen	Venard
Bradley	Garber of Floyd	Ontjes	Wilson—14
Brittain	Gesman		

The amendment was rejected.

The motion to recess was lost.

#### CALL OF THE HOUSE

The following call of the House, filed April 24th, was reinstated:

MR. SPEAKER: We, the undersigned members of the House, hereby request a call of the House during the consideration of House File No. 84.

A. O. HAUGE  
 ALFRED WILLIAMS  
 THOMAS PARSONS  
 WM. L. LONG  
 OLE NATVIG

The roll was called to ascertain the absentees.

Those present were:

Anderson of	Gibson	Long	Rumley
Webster	Gilbertson	Lovrien	Rust
Berry	Gilmore	McClune	Sampson
Blume	Graham	Mathews	Saunders
Bradley	Grimwood	Moen	Schirmer
Brady	Hansen	Napier	Scott of
Buffington	Harrison	Natvig	Appanoose
Carter	Hattendorf	Noble	Scott of Fremont
Children	Hauge	O'Donnell	Smith of
Clark	Healy	Oliver	Chickasaw
Colbert	Held	Olson	Smith of Lucas
Criswell	Hempel	Orr	Stock
Dewar	Henderson	Parsons	Stookesberry
Donhowe	Himebauch	Patterson	Storey
Dooley	Hollis	Peterson	Strippel
Doolittle	Huff	Potts	Ulstad
Dotts	Johnson	Powers	Venard
Edge	King	Quirk	Vincent
Edson	Knutson	Ramsey	Wamstad
Elliott	Lake	Rankin	Weber
Forsling	Leonard	Rassler	Williams
Frahm	Letts	Rewoldt	Wolfe
Gallagher	Lichty	Rhinehart	Yenter
Garber of Adair	Lieberknecht	Robson	Mr. Speaker—93

Those absent were:

Aiken	Diltz	Gilbert	Schulte
Blake	Fackler	Matthiesen	Slemmons
Brittain	Garber of Floyd	Miller	Wilson—15
Cole	Gesman	Ontjes	

Moens of Lyon moved that all members absent without leave be excused from the call of the House.

Motion prevailed.

Doolittle of Delaware moved the adoption of the report and the supplementary report of the second conference committee and the amendments proposed in said conference committee reports.

Anderson of Webster moved the previous question.

Motion prevailed.

On the question "Shall the report and the supplementary report of the second conference committee and the amendments proposed in said conference committee reports be adopted?"

The ayes were:

Bradley	Gilmore	McClune	Rhinehart
Brittain	Grimwood	Mathews	Robson
Buffington	Hansen	Miller	Rust
Carter	Hattendorf	Moens	Sampson
Clark	Hauge	Napier	Saunders
Colbert	Healy	Natvig	Schirmer
Dewar	Held	Noble	Scott of Fremont
Dooley	Hempel	Oliver	Slemmons
Doolittle	Henderson	Ontjes	Smith of
Dotts	Hollis	Orr	Chickasaw
Edge	Johnson	Parsons	Stock
Edson	King	Patterson	Storey
Ellfott	Leonard	Peterson	Strippel
Fackler	Letts	Powers	Wamstad
Frahm	Lichty	Quirk	Weber
Gallagher	Lieberknecht	Ramsey	Williams
Gibson	Long	Rankin	Yenter—70
Gilbertson	Lovrien	Rassler	

The nays were:

Anderson of	Forsling	O'Donnell	Smith of Lucas
Webster	Garber of Adair	Olson	Stookesberry
Berry	Graham	Potts	Ulstad
Blume	Harrison	Rewoldt	Venard
Brady	Himebauch	Rumley	Vincent
Children	Huff	Schulte	Wolfe
Criswell	Knutson	Scott of	Mr. Speaker—29
Donhowe	Lake	Appanoose	

Absent or not voting:

Alken	Ditz	Gesman	Matthiesen
Blake	Garber of Floyd	Gilbert	Wilson—9
Cole			

The report and supplementary report of the second conference committee on House File No. 84 and the amendments proposed in said conference committee reports were adopted.

#### MOTION TO RECONSIDER LAID UPON TABLE

Dewar of Cherokee moved to reconsider the vote by which the House adopted the report and supplementary report of the conference committee and lay the motion to reconsider upon the table.

#### RESOLUTION

The following resolution was filed:

*Whereas*, At a prior session of the legislature, James H. Trewin, J. C. Mabry and U. G. Whitney, and also O. K. Patton, official assistant to the commission, were appointed as a code commission for the purpose of preparing the work of revision of the code at the special session of the Fortieth General Assembly; and

*Whereas*, The work of code revision pursuant thereto is now nearing its completion; and

*Whereas*, The members of the General Assembly at this time fully appreciate the magnitude and the difficulty of the task that confronted the code commissioners and the members of the legislature; and

*Whereas*, The members of the House have felt that they have received personal aid and counsel from all of the members of the commission that have been of great advantage to them in arriving at an intelligent understanding of the code commissioners' bills and in the placing of them in their final shape and for adoption and incorporation into a new and complete code of the state of Iowa; therefore,

*Be It Resolved*: That the members of the House do hereby extend to the code commission their thanks and appreciation for the work that they have done, the completion of which task has been now so nearly accomplished.

*Be It Further Resolved*: That a copy of this resolution be printed in the Journal and a copy of it presented to each member of the code commission.

W. C. EDSON  
CHAS. RHINEHART  
OLE NATVIG  
J. A. KING,

Laid over under rule 34.

Patterson of Kossuth moved that the House adjourn until 7:30 p. m. today.

Anderson of Webster moved to amend the motion by changing the hour from 7:30 p. m. to 8:00 p. m.

Amendment adopted.

The motion by Patterson of Kossuth, as amended, prevailed.

#### EVENING SESSION

The House reconvened, Speaker Anderson in the chair.

#### 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 and the supplement thereto and concurred in the amendments proposed by the second conference committee on House File No. 84, relating to institutions under the board of control.

Also, 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 make appropriation for the payment of state and other expenses.

LEON W. AINSWORTH, *Secretary.*

#### SENATE MESSAGE CONSIDERED

Senate File No. 327, a bill for an act to make appropriation for the payment of state and other expenses.

Read first and second times and passed on file.

#### SENATE CONCURRENT RESOLUTION CONSIDERED

Senate Concurrent Resolution No. 19, relative to recess and adjournment of the special session, found in the House Journal of April 24th, was taken up for consideration.

The following amendment filed by Criswell of Boone was taken up and considered:

Amend Senate Concurrent Resolution No. 19 by striking the word and figure "July 8" and insert the word and figures "August 26".

McClune of Mahaska in the chair.

Speaker Anderson in the chair.

Dewar of Cherokee moved to amend the amendment by Criswell of Boone by changing the time from August 26th to July 29th.

Patterson of Kossuth moved the previous question on the resolution and all pending amendments thereto.

Motion prevailed.

On the question "Shall the amendment by Dewar of Cherokee to the amendment by Criswell of Boone be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Grimwood Harrison	Lieberknecht Lovrien	Scott of Appanoose
Berry	Hauge	McClune	Slemmons
Brady	Healy	Patterson	Smith of
Buffington	Held	Quirk	Chickasaw
Dewar	Henderson	Rankin	Ulstad
Doolittle	Johnson	Rassler	Venard
Edge	King	Rust	Vincent
Gibson	Knutson	Schirmer	Wamstad—34
Gilbertson			

The nays were:

Blume	Gallagher	Moen	Rhinehart
Bradley	Gilmore	Napier	Robson
Brittain	Graham	Natvig	Rumley
Carter	Hansen	Noble	Sampson
Clark	Hattendorf	O'Donnell	Saunders
Colbert	Hempel	Oliver	Scott of Fremont
Cole	Himebauch	Orr	Smith of Lucas
Criswell	Huff	Parsons	Stock
Dooley	Lake	Peterson	Strippel
Dotts	Leonard	Potts	Weber
Edson	Lichty	Powers	Wolfe
Fackler	Long	Ramsey	Yenter
Forsling	Mathews	Rewoldt	Mr. Speaker—54
Frahm	Miller		

Absent or not voting:

Aiken	Elliott	Hollis	Schulte
Blake	Garber of Adair	Letts	Stookesberry
Children	Garber of Floyd	Matthiesen	Storey
Diltz	Gesman	Olson	Williams
Donhowe	Gilbert	Ontjes	Wilson—20

The amendment to the amendment was rejected.

On the question "Shall the amendment by Criswell of Boone be adopted?" a roll call was demanded.

The ayes were:

Aiken	Carter	Edge	Harrison
Anderson of Webster	Children Criswell	Fackler Frahm	Hattendorf Hempel
Berry	Dooley	Gibson	Himebauch
Blume	Dotts	Gilbertson	Huff

Johnson	Noble	Quirk	Smith of Lucas
King	O'Donnell	Rassler	Stock
Knutson	Oliver	Rewoldt	Storey
Leonard	Ontjes	Robson	Ulstad
Lieberknecht	Orr	Rust	Venard
Mathews	Patterson	Scott of	Weber
Miller	Peterson	Appanoose	Wolfe—49.
Napier	Potts	Scott of Fremont	

The nays were:

Bradley	Gallagher	Long	Saunders
Brady	Garber of Adair	Lovrien	Schirmer
Brittain	Gilmore	McClune	Slemmons
Buffington	Graham	Moen	Smith of
Clark	Grimwood	Natvig	Chickasaw
Colbert	Hansen	Parsons	Strippel
Cole	Hauge	Powers	Vincent
Dewar	Healy	Ramsey	Wamstad
Donhowe	Heid	Rankin	Williams
Doolittle	Henderson	Rhinehart	Yenter
Edson	Lake	Rumley	Mr. Speaker—46.
Forsling	Lichty	Sampson	

Absent or not voting:

Blake	Gesman	Letts	Schulte
Dilts	Gilbert	Matthiesen	Stookesberry
Elliott	Hollis	Olson	Wilson—13.
Garber of Floyd			

The amendment by Criswell of Boone was adopted.

Himebauch of Emmet moved to reconsider the vote by which the amendment by Criswell of Boone was adopted.

Motion prevailed.

Mathews of Des Moines moved that the House now adjourn until 8:00 a. m. Saturday.

Rankin of Lee moved to amend the motion by Mathews of Des Moines by changing the hour from 8:00 a. m. to 9:00 a. m.

Amendment rejected.

The motion by Mathews of Des Moines was rejected.

Forsling of Woodbury moved to amend the amendment by Criswell of Boone by changing the date from July 8th to July 22d.

On the question "Shall the amendment by Forsling of Woodbury to the amendment by Criswell of Boone be adopted?" a roll call was demanded.

The ayes were:

Anderson of Webster	Gibson Gilbertson	Long Lovrien	Sampson Saunders
Berry	Gilmore	McClune	Schirmer
Brady	Graham	Mathews	Scott of Fremont
Brittain	Grimwood	Moen	Slemmons
Buffington	Harrison	Natvig	Smith of Chickasaw
Colbert	Hattendorf	Noble	Stock
Cole	Hauge	Parsons	Storey
Dewar	Healy	Patterson	Strippel
Donhowe	Held	Peterson	Ulstad
Dooley	Hempel	Powers	Vincent
Doolittle	Henderson	Quirk	Wamstad
Edge	Himebauch	Ramsey	Weber
Edson	Hollis	Rankin	Williams
Fackler	King	Rassler	Wolfe
Forsling	Knutson	Robson	Yenter
Gallagher	Lichty	Rumley	Mr. Speaker—70
Garber of Adair	Lieberknecht	Rust	

The nays were:

Blume	Hansen	O'Donnell	Scott of Appanoose
Carter	Johnson	Oliver	Smith of Lucas—17
Criswell	Leonard	Orr	
Dotts	Miller	Rewoldt	
Frahm	Napier	Rhinehart	

Absent or not voting:

Aiken	Elliott	Lake	Potts
Blake	Garber of Floyd	Letts	Schulte
Bradley	Gesman	Matthiesen	Stokesberry
Children	Gilbert	Olson	Venard
Clark	Huff	Ontjes	Wilson—21
Diltz			

Amendment by Forsling of Woodbury to the amendment by Criswell of Boone was adopted.

Amendment by Criswell of Boone, as amended, was adopted.

Doolittle of Delaware moved that the House concur in the Senate Concurrent Resolution, as amended.

On the question "Shall Senate Concurrent Resolution No. 19, as amended, be adopted?" a roll call was demanded.

The ayes were:

Aiken	Criswell	Garber of Adair	Held
Anderson of Webster	Dewar	Gibson	Hempel
Berry	Donhowe	Gilbertson	Henderson
Blume	Dooley	Gilmore	Himebauch
Brady	Dotts	Graham	Hollis
Brittain	Edge	Grimwood	Huff
Buffington	Edson	Harrison	King
Colbert	Fackler	Hattendorf	Knutson
Cole	Forsling	Hauge	Leonard
	Gallagher	Healy	Lichty

Lieberknecht	Potts	Saunders	Ustad
Long	Powers	Schirmer	Vincent
Lovrien	Quirk	Scott of	Wamstad
McClune	Ramsey	Appanoose	Weber
Mathews	Rankin	Scott of Fremont	Williams
Moen	Rassler	Slemmons	Wolfe
Natvig	Rhinehart	Smith of	Yenter
Noble	Robson	Chickasaw	Mr. Speaker—78
Parsons	Rumley	Stock	
Patterson	Rust	Storey	
Peterson	Sampson	Strippel	

The nays were:

Carter	Miller	Oliver	Smith of
Frahm	Napler	Orr	Lucas—10
Johnson	O'Donnell	Rewoldt	

Absent or not voting: •

Blake	Doolittle	Hansen	Ontjes
Bradley	Elliott	Lake	Schulte
Children	Garber of Floyd	Letts	Stookesberry
Clark	Gesman	Matthiesen	Venard
Diltz	Gilbert	Olson	Wilson—20.

The House concurred in Senate Concurrent Resolution No. 19, as amended.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had approved the following bills: April 23d, House File No. 260; April 24th, House Files Nos. 324 and 308.

Patterson of Kossuth moved that the committee on judiciary be instructed to submit to the House this evening a report on the investigation of the department of public instruction, which shall be limited to a transcript of evidence, and that the House shall share with the judiciary committee the responsibility of making a finding.

#### CONSIDERATION OF BILL

By unanimous consent, Senate File No. 327, a bill for an act to make appropriation for the payment of state and other expenses, was taken up for consideration.

On request of Hauge of Polk, unanimous consent having been obtained, Senate File No. 327 was referred to the committee on appropriations.

Forsling of Woodbury moved that the House adjourn until 9:00 a. m. Saturday.

Dooley of Van Buren moved to amend the motion by changing the hour from 9:00 a. m. to 8:00 a. m.

Amendment lost.

Rassler of Pocahontas moved to amend the motion by changing the hour from 9:00 a. m. to 8:30 a. m.

Amendment lost.

Motion of Forsling of Woodbury prevailed.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, APRIL 26, 1924.

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

Prayer was offered by the Rev. Paul H. Andreen, pastor of Bethany Lutheran church, Des Moines.

Journal of April 25th corrected and approved.

## MEMBERS OF ENROLLING COMMITTEE EXCUSED

Letts of Washington, Johnson of Dickinson and Rust of Franklin were excused from the House on account of work in the committee on enrolled bills.

## LEAVE OF ABSENCE

On motion of O'Donnell of Dubuque, Weber of Dubuque was excused for the day.

## REPORT OF COMMITTEE

Hauge of Polk, 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 make appropriation for the payment of state and other expenses, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. O. HAUGE, *Chairman.*

Report adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 14 and 178.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 14 and 178.

#### INTRODUCTION AND CONSIDERATION OF JOINT RESOLUTION

House Joint Resolution No. 9, by Hauge of Polk, joint resolution authorizing the board of control of state institutions to enter into contracts for the employment of prisoners.

*Whereas*, the Extra Session of the Fortieth General Assembly has adopted House File No. 84, an act relating to the board of control, its powers and duties and in said act has authorized the board of control to enter into contracts for the employment of prisoners, and

*Whereas*, said act will not become effective at once and it is desired that this power be conferred upon the board of control at this time, and

*Whereas*, the said board of control has cancelled certain contracts for the employment of prisoners in the state penitentiary and the men's reformatory between said board of control and the Reliance Manufacturing Company and the Sterling Company, the date of cancellation to be effective as of July 1, 1924, and it is the desire of this Legislature to ratify and confirm the board of control in its cancellation of these contracts; now, therefore,

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

Section 1. That the resolution of the board of control cancelling the contracts between the board of control and the Reliance Manufacturing Company and the Sterling Company for the employment of prisoners in the state penitentiary and in the men's reformatory is ratified and confirmed, and said contracts are cancelled as of date July 1, 1924.

Sec. 2. The board of control of state institutions is authorized to enter into contracts with persons, firms or corporations for the employment of prisoners on state premises where the work and prisoners employed thereon are under the supervision, direction and control of the board of control and the warden, providing always that such contracts shall not extend beyond July 1, 1927.

Sec. 3. In making such contracts the board shall not permit such services to be rendered to a private party at a less wage than is paid free labor for like service or its equivalent, taking into consideration all the elements that enter into the value of prison labor, and the decision of the board of control in that respect shall be final, after approval by the appeal board provided for by Chapter 3-a of Senate File No. 7 of the acts of the Fortieth General Assembly of Iowa, Extra Session.

Sec. 4. This act being deemed of immediate importance, shall be in full force and effect from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Read first and second times and, by unanimous consent, taken up for immediate consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third readings of a joint resolution on the same day, Hauge of Polk moved that the joint resolution be read a third time now and placed upon its passage, which motion prevailed and the joint resolution was read a third time.

On the question "Shall the joint resolution pass?"

The ayes were:

Anderson of	Frahm	Lichty	Robson
Webster	Garber of Adair	Lieberknecht	Rumley
Berry	Gilbertson	Long	Rust
Blume	Gilmore	Lovrien	Sampson
Bradley	Graham	McClune	Schirmer
Brady	Grimwood	Mathews	Schulte
Brittain	Harrison	Miller	Scott of Fremont
Carter	Hattendorf	Napier	Slemmons
Colbert	Hauge	Natvig	Smith of Lucas
Cole	Healy	Noble	Storey
Criswell	Held	Oliver	Strippel
Dewar	Henderson	Olson	Ulstad
Donhowe	Himebauch	Ontjes	Venard
Dooley	Hollis	Parsons	Vincent
Doolittle	Huff	Potts	Wamstad
Dotts	King	Rankin	Williams
Edge	Knutson	Rassler	Wolfe
Edson	Leonard	Rhinehart	Mr. Speaker—72
Fackler			

The nays were, none.

Absent or not voting:

	Diltz	Gibson	Letts
Aiken	Elliott	Gilbert	Matthiesen
Blake	Forsling	Hansen	Moen
Buffington	Gallagher	Hempel	O'Donnell
Children	Garber of Floyd	Johnson	Orr
Clark	Gesman	Lake	Patterson

Peterson	Rewoldt	Smith of	Weber
Powers	Saunders	Chickasaw	Wilson
Quirk	Scott of	Stock	Yenter—36
Ramsey	Appanoose	Stookesberry	

The joint resolution having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### CONSIDERATION OF BILL

Senate File No. 327, a bill for an act to make appropriations for the payment of state and other expenses, with report of committee recommending passage, was taken up for consideration.

Hauge of Polk moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Alken	Frahm	Lake	Rewoldt
Anderson of	Gallagher	Leonard	Rhinehart
Webster	Garber of Adair	Lichty	Robson
Berry	Gibson	Lieberknecht	Rumley
Blume	Gilbertson	Long	Sampson
Brady	Gilmore	Lovrien	Schirmer
Brittain	Graham	Mathews	Schulte
Children	Grimwood	Miller	Scott of Fremont
Clark	Harrison	Napier	Slemmons
Colbert	Hattendorf	Natvig	Smith of Lucas
Cole	Hauge	O'Donnell	Storey
Criswell	Healy	Oliver	Strippel
Dewar	Held	Olson	Venard
Donhowe	Henderson	Parsons	Vincent
Doolittle	Himebauch	Potts	Wamstad
Dotts	Hollis	Quirk	Williams
Edge	Huff	Rankin	Wolfe
Edson	Knutson	Rassler	Mr. Speaker—72
Fackler			

The nays were, none.

Absent or not voting:

Blake	Gilbert	Ontjes	Smith of
Bradley	Hansen	Orr	Chickasaw
Buffington	Hempel	Patterson	Stock
Carter	Johnson	Peterson	Stookesberry
Diltz	King	Powers	Ulstad
Dooley	Letts	Ramsey	Weber
Elliott	McClune	Rust	Wilson
Forsling	Mathiesen	Saunders	Yenter—36
Garber of Floyd	Moen	Scott of	
Gesman	Noble	Appanoose	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## RESOLUTION CONSIDERED

The resolution found in the Journal of April 25th, expressing appreciation to the code commission for their services, was taken up for consideration.

Edson of Buena Vista moved the adoption of the resolution.

The resolution was unanimously adopted.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

**MR. SPEAKER:** I am directed to inform your honorable body that the Senate has concurred in House amendment to Senate Concurrent Resolution No. 19, relating to recess of the extra session.

Also, that the Senate has passed House Joint Resolution No. 8, relating to certification of teachers in certain cases and approval of certain schools for state aid.

Also, 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 to repeal a certain section of House File No. 100, relating to organization of independent school districts.

LEON W. AINSWORTH, *Secretary.*

## SENATE MESSAGE CONSIDERED

Senate File No. 328, a bill for an act to repeal section eleven (11) of House File one hundred (100) of the acts of the extraordinary session of the Fortieth General Assembly, relating to the organization of independent school district.

Read first and second times.

Hauge of Polk moved that Senate File No. 328 be referred to a special committee of three to be appointed by the Speaker.

Motion prevailed and the Speaker appointed as such committee, Hauge of Polk, Carter of Hardin and Clark of Linn.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

**MR. SPEAKER:** Your committee on enrolled bills respectfully reports that it has, on this twenty-sixth day of April, 1924, sent to the Governor for his approval:

House Files Nos. 14 and 178.

C. F. LETTS, *Chairman.*

Report adopted.

## REPORT OF COMMITTEE

Hauge of Polk, from the special committee of three, submitted the following report:

MR. SPEAKER: Your special committee of three to whom was referred Senate File No. 328, a bill for an act to repeal section eleven (11) of House File one hundred (100) of the acts of the extraordinary session of the Fortieth General Assembly, relating to the organization of independent 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 indefinitely postponed.

A. O. HAUGE, *Chairman.*

Report adopted and Senate File No. 328 was indefinitely postponed.

## REPORT OF COMMITTEE ON JUDICIARY

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary, to whom was referred the matter of the investigation of the State Department of Public Instruction, beg leave to submit the following report in the form of a resolution adopted by the committee:

## RESOLUTION

*Whereas*, a resolution was filed by certain members of the House of Representatives, which resolution was afterwards adopted by the House, providing that the matter of certain complaints against the office of the superintendent of public instruction be referred to the Judiciary Committee for investigation and report of the facts, together with its recommendations, and

*Whereas*, on April 14th, 1924, the superintendent of public instruction filed a written request and demand that investigation should be so conducted, tendering the fullest and most complete cooperation of her department, and

*Whereas*, on April 17th, 1924, the Judiciary Committee were, by action of the House, directed to conduct such investigation, to subpoena witnesses, employ counsel and stenograph help, and

*Whereas*, during the week ending April 25th, 1924, the Judiciary Committee has been in constant session each day from the hours of about 8:30 a. m. until about 5:30 p. m., with the exception of the noon adjournment and the time the House has been in session, and

*Whereas*, many witnesses have been called and their evidence taken down by reporters and afterwards transcribed, such transcript containing more than five hundred typewritten pages in addition to about one hundred exhibits, consisting largely of letters and correspondence, and

*Whereas*, the Committee was in continuous session in these hearings, as set forth above, until 10:00 p. m. on the evening of April 25th, 1924, and has had no opportunity to deliberate upon the facts disclosed by the evidence, or upon the law governing such facts, or its recommendation in view thereof, and

*Whereas*, such evidence has been mimeographed so that a full copy thereof is in the hands of each member of the Judiciary Committee, although many members of the committee were unable to sit during the entire sessions and hear the evidence as submitted, and in addition to the above an opinion has been asked from the attorney general of the state on certain legal points involved, which opinion the attorney general has promised to submit to the committee by noon of April 26th, 1924; now, therefore,

*Be it resolved* that the Judiciary Committee request the House to make an order directing and requesting the Judiciary Committee to submit its report on the facts and its recommendations as required by the resolution, such report to be submitted the day the General Assembly reconvenes, and that the Judiciary Committee be requested to meet on the preceding day for the purpose of deliberating and agreeing upon its said report.

Clark of Linn moved to amend the resolution by striking the period at the end thereof and adding the following:

"and further that each member of the House be furnished by the chief clerk with a complete transcript of the evidence on or before May 10th."

Amendment adopted.

Clark of Linn moved the adoption of the report of the committee and the resolution submitted in said report.

Motion prevailed.

Clark of Linn moved that 250 copies of the transcript of the investigation be ordered printed.

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 passed the following resolution in which the concurrence of the Senate was asked:

House Joint Resolution No. 9, a joint resolution authorizing the board of control to enter into contracts for the employment of prisoners.

LEON W. AINSWORTH, *Secretary*.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

**MR. SPEAKER:** Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House File No. 277.

C. F. LETTS, *Chairman House Committee.*  
F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILL SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bill: House File No. 277.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

**MR. SPEAKER:** Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 185, 262, 18, 261, 84.

Senate Files Nos. 169, 327, 15, 121.

House Joint Resolutions Nos. 8 and 9.

C. F. LETTS, *Chairman House Committee.*  
F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills and joint resolutions: Senate Files Nos. 15, 121, 169 and 327; House Files Nos. 18, 261, 84, 185 and 262; House Joint Resolutions Nos. 8 and 9.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

**MR. SPEAKER:** Your committee on enrolled bills respectfully reports that it has, on this twenty-sixth day of April, 1924, sent to the Governor for his approval:

House Files Nos. 277, 185, 18, 261, 262 and 84.

House Joint Resolutions Nos. 8 and 9.

C. F. LETTS, *Chairman.*

Report adopted.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on April 26th, approved the following bills and joint resolutions: House Files Nos. 327, 306, 328, 236, 213, 34, 68, 66, 65, 178, 261, 262, 18, 185, 14 and 277; House Joint Resolution No. 6.

Olson of Clinton moved that, in accordance with concurrent resolution duly adopted, the House now recess until July 22d at 11:00 a. m.

Motion prevailed.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JULY 22, 1924.

House met pursuant to adjournment, Speaker pro tempore Ontjes in the chair.

Prayer was offered by the Rev. W. A. Winterstein of Harwarden, Iowa.

The roll was called to ascertain the presence of a quorum.

Those present were:

Aiken	Forsling	Lake	Schulte
Anderson of	Gallagher	Leonard	Scott of
Webster	Garber of Floyd	Long	Appanoose
Berry	Gesman	Mathews	Scott of Fremont
Blume	Gibson	Matthiesen	Smith of
Brittain	Hansen	Moen	Chickasaw
Carter	Hattendorf	Natvig	Smith of Lucas
Children	Hauge	Noble	Stookesberry
Clark	Held	O'Donnell	Storey
Colbert	Hempel	Orr	Strippel
Cole	Henderson	Parsons	Vincent
Dewar	Himebauch	Potts	Weber
Diltz	Hollis	Rankin	Wolfe
Dotts	Huff	Rewoldt	Yenter
Edge	Johnson	Rhinehart	Mr. Speaker—59
Fackler	King		

Those absent were:

Anderson of	Garber of Adair	McClune	Rumley
Winnebago	Gilbert	Miller	Rust
Blake	Gilbertson	Napier	Sampson
Bradley	Gilmore	Oliver	Saunders
Brady	Graham	Olson	Schirmer
Buffington	Grimwood	Patterson	Slemmons
Criswell	Harrison	Peterson	Stock
Donhowe	Healy	Powers	Ulstad
Dooley	Knutson	Quirk	Venard
Doolittle	Letts	Ramsey	Wamstad
Edson	Lichty	Rassler	Williams
Elliott	Lieberknecht	Robson	Wilson—49
Frahm	Lovrien		

Rankin of Lee moved that rule 63 be suspended for the day. Motion prevailed.

## SELECTION OF OFFICERS AND EMPLOYES

Lake of Woodbury moved that the following named persons be selected as officers and employees for the special session of the Fortieth General Assembly reconvening on July 22, 1924, their compensation to be computed from the date of their employment under the direction of the chief clerk until the date of the final adjournment of the special session.

Assistant chief clerk, Frank S. Vetter.

Engrossing clerk, Mrs. Gwendolyn MacDowell.

Journal clerk and enrolling clerk, Cecil Hawley.

Committee clerks: Jennie Allely, Pauline Crawford, Rhea Cummings, Lola Elliott, Claire Goddard, Sara Kramer, Zoe Spittler, Leona Storey, Clara Weaver, Catherine A. Roberts, Helen Hass.

File and bill clerk, Donald Winterrowd.

Pages, Charles Rider and Edward Ekwall.

Postmistress, Zeta Hayes.

Doorkeepers, E. P. Taylor, J. E. Kent, B. A. Stowe.

Chief Janitor, Henry McCraven.

Assistant Janitors, Fred Miller, Louis Jackson.

Motion prevailed.

## OFFICIAL OATH OF OFFICE

The following named officers and employees of the House took and subscribed to the required oath:

Frank S. Vetter, Mrs. Gwendolyn MacDowell, Cecil Hawley, Jennie Allely, Rhea Cummings, Lola Elliott, Helen Hass, Donald Winterrowd, Charles Rider, Edward Ekwall, Zeta Hayes, E. P. Taylor, J. E. Kent, B. A. Stowe, Henry McCraven, Fred Miller, Louis Jackson.

## INTRODUCTION OF BILLS

House File No. 329, by code supervising committee, a bill for an act to amend section two hundred fifty-five (255) of House File eighty-four (84), acts of the extra session of the fortieth general assembly, relating to removal of insane persons from state hospitals.

Read first and second times and passed on file.

House File No. 330, by code supervising committee, a bill for an act to amend sections fifty-one hundred fifty-three (5153), fifty-one hundred fifty-four (5154), and fifty-one hundred fifty-six (5156) and to repeal section fifty-one hundred fifty-seven (5157) of the compiled code of Iowa, relating to inspection of the sanitary condition of depots.

Read first and second times and passed on file.

House File No. 331, by code supervising committee, a bill for an act to amend sections six (6) and eight (8) of House File two hundred forty-six (246), acts of the extra session of the fortieth general assembly, relating to abstracts of record in the supreme court.

Read first and second times and passed on file.

House File No. 332, by code supervising committee, a bill for an act to amend section two hundred ten (210) of House File two hundred sixty-one (261), acts of the extra session of the fortieth general assembly, relating to inspection fees for scales.

Read first and second times and passed on file.

House File No. 333, by code supervising committee, a bill for an act to amend section three (3), chapter one hundred thirty-seven (137), acts of the fortieth general assembly, relating to the issuance of improvement bonds by cities under the commission form of government.

Read first and second times and passed on file.

House File No. 334, by code supervising committee, a bill for an act to provide for the publication of the acts of the extra session of the fortieth general assembly, enacted subsequent to July twenty-second, nineteen hundred twenty-four (1924).

Read first and second times and passed on file.

House File No. 335, by code supervising committee, a bill for an act to amend section five (5) of House File one hundred fourteen (114), acts of the extra session of the fortieth general assembly, relating to the assignment of space in the historical building.

Read first and second times and passed on file.

House File No. 336, by Aiken of Ida, a bill for an act to legalize certain ordinances of the incorporated city of Ida Grove, Iowa, granting franchises to the Ida Grove Electric Company and the Ida County Telephone Company, both of the city of Ida Grove, Iowa.

*Whereas*, Ordinance No. 164 of the incorporated city of Ida Grove, Iowa, entitled "An ordinance granting to the Ida Grove Electric Company the right to construct, erect and maintain an electric light and power plant in the city of Ida Grove, Iowa," was duly adopted by the council of said city on February 8, 1922, and approved by a majority of the electors of said city voting thereon at an election held therein on March 27, 1922; and

*Whereas*, Ordinance No. 172 of the incorporated city of Ida Grove, Iowa, entitled "An ordinance granting and authorizing the construction

of a hot water heating plant, in connection with its electric light plant, by the Ida Grove Electric Company of Ida Grove, Iowa, in the city of Ida Grove, Iowa," was adopted by the council of said city on January 7, 1924, and approved by a majority of the electors of said city voting thereon at an election held therein on March 31, 1924; and

*Whereas*, Ordinance No. 173 of the incorporated city of Ida Grove, Iowa, entitled "An ordinance granting to the Ida County Telephone Company the right to erect and maintain its poles, lines and underground conduits in the city of Ida Grove, Iowa, on the conditions therein provided," was adopted by the council of said city on January 7, 1924, and approved by a majority of the electors of said city voting thereon at an election held therein on March 31, 1924; and

*Whereas*, Doubts have arisen as to whether all the provisions of law relating to the granting of such franchises have been strictly complied with; now, therefore,

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

Section 1. That Ordinance No. 164 of the incorporated city of Ida Grove, Iowa, entitled "An ordinance granting to the Ida Grove Electric Company the right to construct, erect and maintain an electric light and power plant in the city of Ida Grove, Iowa," be and the same is hereby declared legal and valid, the same as if all provisions of law relating to the granting of franchises had in all respects been complied with.

Sec. 2. That Ordinance No. 172 of the incorporated city of Ida Grove, Iowa, entitled "An ordinance granting and authorizing the construction of a hot water heating plant, in connection with its electric light plant, by the Ida Grove Electric Company of Ida Grove, Iowa, in the city of Ida Grove, Iowa," be and the same is hereby declared legal and valid, the same as if all the provisions of law relating to the granting of franchises had in all respects been strictly complied with.

Sec. 3. That Ordinance No. 173 of the incorporated city of Ida Grove, Iowa, entitled "An ordinance granting to the Ida County Telephone Company the right to erect and maintain its poles, lines and underground conduits in the city of Ida Grove, Iowa, on the conditions therein provided," be and the same is hereby declared legal and valid, the same as if all the provisions of law relating to the granting of franchises had in all respects been strictly complied with.

Sec. 4. This act shall not affect pending litigation.

Sec. 5. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Des Moines Register, a newspaper published in Des Moines, Iowa, and in the Ida Grove Record-Era, a newspaper published in Ida Grove, Iowa, and without expense to the state.

Read first and second times and referred to committee on judiciary.

#### INTRODUCTION OF JOINT RESOLUTION

House Joint Resolution No. 10, by Carter, joint resolution relating to the selection of additional employees of the special ses-

sion of the Fortieth General Assembly of the State of Iowa, fixing their compensation and duties.

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

Section 1. That the following named persons be selected as additional employees required by the work of the special session of the Fortieth General Assembly and they shall be assigned for duty under the direction of the custodian and the state auditor is, upon pay roll duly approved, authorized and instructed to pay them at the rates and for such service actually rendered as hereinafter designated, dating from the reconvening of the special session on July 22nd and ending with its final adjournment.

1. As janitors at a compensation of \$4.00 per day: W. F. Wiley, Otha Blue, S. L. Harvey, George Lacey.

2. As elevator operator at a compensation of \$4.00 per day: W. N. Neff.

3. As assistant state house postmaster at a compensation of \$4.00 per day: Frank Blagburn.

4. As assistant matron at a compensation of \$3.00 per day: Ella Johnson.

Read first and second times.

On request of Hauge of Polk, unanimous consent having been obtained, the joint resolution was taken up for consideration at this time.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third reading of a joint resolution on the same day, Hauge of Polk moved that the joint resolution be read a third time now and placed upon its passage, which motion prevailed and the joint resolution was read a third time.

On the question "Shall the joint resolution pass?"

The ayes were:

Aiken	Forsling	Lake	Schulte
Anderson of	Gallagher	Leonard	Scott of
Webster	Garber of Floyd	Long	Appanoose
Berry	Gesman	Matthews	Scott of Fremont
Blume	Gibson	Matthiesen	Smith of
Brittain	Hansen	Moen	Chickasaw
Carter	Hattendorf	Natvig	Smith of Lucas
Children	Hauge	Noble	Storey
Clark	Held	O'Donnell	Strippel
Cole	Henderson	Orr	Vincent
Dewar	Himebauch	Parsons	Weber
Diltz	Hollis	Potts	Wolfe
Dotts	Huff	Rankin	Yenter
Edge	Johnson	Rewoldt	Mr. Speaker—56
Fackler	King	Rhinehart	

The nays were: none.

## Absent or not voting:

Anderson of Winnebago	Garber of Adair	Lovrien	Rumley
Blake	Gilbert	McClune	Rust
Bradley	Gilbertson	Miller	Sampson
Brady	Gilmore	Napier	Saunders
Buffington	Graham	Oliver	Schirmer
Colbert	Grimwood	Olson	Slemmons
Criswell	Harrison	Patterson	Stock
Donhowe	Healy	Peterson	Stookesberry
Dooley	Hempel	Powers	Ulstad
Doolittle	Knutson	Quirk	Venard
Edson	Letts	Ramsey	Wamstad
Elliott	Lichty	Rassler	Williams
Frahm	Lieberknecht	Robson	Wilson—52

So the joint resolution having received a constitutional majority was declared to have passed the House and the title was agreed to.

## COMMUNICATIONS FROM THE GOVERNOR

On motion of Fackler of Adams the following communications from the Governor received by the chief clerk on April 28, 1924, were ordered printed in the Journal:

April 28, 1924.

HON. J. H. ANDERSON,  
Speaker of the House of Representatives,  
Fortieth General Assembly, Special Session.  
My dear Mr. Speaker:

Pursuant to law, I return herewith without my approval House File No. 326, entitled "An Act to Amend Chapter 108 of the Laws, of the Fortieth General Assembly Relating to the Interest on Bonds."

The measure provides, "the provisions of this chapter shall not affect the legality or the validity of any bonds issued after July 4, 1923, pursuant to and in accordance with the terms of any contract legally entered into prior to that date."

Upon inquiry from the Attorney General, I am advised that the proposed legislation is altogether unnecessary, as it embodies what already is the law and this coincides with my own opinion. It is obvious that any bond issued by any municipality after July 4, 1923, in pursuance of any contract executed prior thereto, could not be affected by chapter 108, assuming of course that the rate of interest was not in excess of 6 per cent per annum. It is fundamental that the General Assembly has no power to render more favorable or less favorable any agreement legally entered into in the past. The familiar constitutional prohibition against the impairment of contracts would estop such action, and it has been expressly so held in *O'Rourke vs. Dwyer*, 42 N. J. Law 327.

I am indisposed to encumber the statutes with any law which is mere surplusage and for this reason I have not been able to approve the measure in question.

Respectfully submitted,  
N. E. KENDALL,  
*Governor.*

April 29, 1924.

The Honorable the House of Representatives of the  
Fortieth General Assembly of Iowa, Special Session.

MR. SPEAKER: I am directed by Governor Kendall to inform your honorable body that he has approved the following bills:

April 28, 1924:

House Joint Resolution No. 8, relating to certification of teachers in certain cases and the approval of certain schools for state aid and approval of certain schools for tuition.

April 29, 1924:

House Joint Resolution No. 9, authorizing the Board of Control of the State Institutions to enter into contracts for the employment of prisoners.

House File No. 84, an act relating to charitable, correctional and penal institutions, and the juvenile court.

April 28, 1924:

Disapproved and returned House File No. 326, an act to amend chapter 108 of the laws of the Fortieth General Assembly, relating to the rate of interest on bonds.

Respectfully,  
EMMA K. BLAISE,  
*Secretary to the Governor.*

#### REPORT OF COMMITTEE ON INVESTIGATION OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

Clark of Linn from the committee on judiciary submitted the following report:

Report of Findings and Recommendations of the Judiciary Committee of the Fortieth General Assembly, Extra Session, in the matter of the Investigation of the Department of Public Instruction and of May E. Francis, Superintendent of Public Instruction.

*To The House of Representatives of the Fortieth General Assembly:*

We, your committee on judiciary, to whom was referred certain resolutions relating to the Superintendent of Public Instruction, together with the request and demand made by the Superintendent of Public Instruction for an investigation by the House of Representatives of her department, beg leave to report:

That under the authority of the resolution providing for said investigation, the committee selected as its counsel the Honorable George Cosson, and commenced the taking of testimony on April 22nd, continuing until April 25th, when the investigation was terminated by the adjournment of the General Assembly. That upon the evidence so secured and taken, your committee respectfully submits the following findings of fact and recommendations:

#### I.

The second specification charges that May E. Francis, as Superintendent of Public Instruction, appointed as her deputy one Thelma Nelson, and certified that Thelma Nelson was qualified to act as such deputy, when the said Thelma Nelson was not qualified for such position under the terms of section 2266 of the compiled code.

The evidence produced, including the evidence of Thelma Nelson herself, has satisfied your committee that Thelma Nelson at the time of her appointment in January, 1923, had not had "five years' experience as a teacher or school superintendent" as required by section 2266 of the compiled code.

The evidence shows that Thelma Nelson procured and filed with the said May E. Francis a certain writing purported to be signed by one J. R. Vaughan, business manager and treasurer of Des Moines University, stating that "during the seven years which Thelma Nelson has been connected with Des Moines College and Des Moines University, she has had five years' teaching experience, including class room instruction and private tutoring."

Your committee finds that this statement was misleading and untrue, and known by the said Thelma Nelson to be misleading and untrue at the time she procured and submitted it.

The testimony of Thelma Nelson herself shows that she graduated from high school in June, 1916, and that her only connection with Des Moines College or Des Moines University was during the thirty-five months beginning with September, 1916, and ending with her graduation in August, 1919, and that aside from this period of time and a few months that she was an officer of the Alumni Association, she had no connection with Des Moines College or Des Moines University, excepting only during one semester when she was secretary to Dr. Osborne, chancellor of Des Moines University, and that during this semester the only teaching she did was one class of four pupils for a period of twelve weeks. Aside from this brief period, there is no evidence of her doing any teaching except a certain amount of tutoring individual students and occasional supplying during the absence of a regular teacher, but Miss Nelson was unable or unwilling to give the committee any estimate of the amount of her tutoring or supply teaching during that time, and no record could be found in Des Moines College or Des Moines University showing any work of this kind on her part. The evidence shows that some of this alleged teaching consisted of instances when on account of the absence of the teacher, Miss Nelson, as a member of the class, was asked to take charge of the recitations.

When testifying before the committee (transcript, page 33), the following question was asked Miss Nelson to which she made the following answer:

Q. Then the only times you were connected with Des Moines College were the three years or thirty-six months from June, 1916, to the summer of 1919, and one semester afterwards?

A. With the exception of that eight weeks between the close of the summer school at Columbia and the opening of the fall term, during which eight weeks I was secretary of the Alumni Association and did not do any teaching.

During the thirty-six months above referred to, Miss Nelson took the entire four years college course, and in addition occupied a secretarial position a portion, if not all of the time, leaving very little opportunity for tutoring or supplying.

It further appears that between the time when Miss Nelson matriculated at Des Moines College in September, 1916, and the time of her appointment as deputy state superintendent in January, 1923, was only six years and four months, during which time she was employed in the office of Superintendent of Public Instruction McClenahan for about eighteen months, and during the summers of 1921 and 1922 was in residence at Columbia University doing work which resulted in her obtaining her master's degree.

It will be seen from the above that the certificate furnished by this J. R. Vaughan was wholly false and untrue, and that its falsity was known by Miss Nelson and by Miss Francis at the time it was submitted.

Miss Francis was an intimate friend of Miss Nelson for many years and her roommate during the summers of 1921 and 1922 at Columbia University, and herself testified that she had frequently talked over with Miss Nelson the matter of her work at Des Moines College, and in answer to the following question gave the following answer:

"Q. You say you talked it over with her; what did she say at that time?

A. Practically what she told you." (Transcript, page 60.)

The committee, therefore, finds that Miss Francis at that time was familiar with substantially all of the facts regarding Miss Nelson's qualifications as hereinbefore recited, and yet in spite of this knowledge, Miss Francis said to the committee (Transcript, page 53), "I wish to leave with this committee the fact that Miss Nelson has had five years teaching experience."

In this connection it is important to note that the testimony shows, and Miss Nelson admits, that during the time her alleged teaching took place she did not hold, nor did she at the time of this hearing hold, a teacher's certificate of any character.

The committee further finds that in an opinion rendered by the Attorney General of Iowa to the Superintendent of Public Instruction relating to "definition of five years' experience" as used in reference to teacher's qualifications, which opinion bears date of April 15, 1921, and is found in the 14th Biennial Report of the Attorney General of Iowa for the biennial period ending December 31, 1922, on pages 276 and 277, the Attorney General stated:

"We have reached a conclusion that five years in teaching as contemplated in the law cannot be acquired short of five calendar years. \* \* \* It follows, therefore, that under the law, five years' experience cannot be gained short of five calendar years. \* \* \* In this opinion, then, we must hold as stated first that there must be actually spent five calendar years in the profession of teaching."

That this opinion has been recognized and followed by May E. Francis as State Superintendent of Public Instruction is evidenced from a processed letter issued by her to the county superintendents and superintendents of consolidated schools in the state, dated December 31, 1923 (Ex. No. 47). This letter states: "Practice teaching may not be credited as teaching experience in the above", (referring to number of years' teaching experience required for teachers' certificates of different grades).

Counsel for Miss Francis has asserted that the qualifications of the deputy superintendent were passed upon by the district court in the case of McClenahan vs. Governor Kendall, et al., but the committee finds from an examination of the pleadings and records and from the evidence of Judge Thompson, presiding judge, that there was no reference to the qualifications of the deputy in any order entered in that case, nor was it referred to in any pleading on file therein at the time such orders were made by the court. The court's order permitted the deputy to qualify but without any question having been raised at that time as to her having the qualifications required by section 2266 of the compiled code.

Counsel also calls attention to the fact that the law imposed upon the Governor the obligation to approve this appointment, but the committee finds that the approval by Governor Kendall was merely perfunctory and upon the recommendation of Miss Francis, and upon her submitting the false and untruthful certificate made by J. R. Vaughan, and without any other knowledge whatever upon the Governor's part regarding the matter.

Governor Kendall testified as follows: (Transcript page 144.)

"It has uniformly been the practice when a Superintendent of Public Instruction certifies that a deputy is qualified that the executive assumes that the Superintendent will not defraud him and the state."

## II

Complaint was made, and evidence supporting it submitted to the committee, that the Superintendent of Public Instruction had withheld, or threatened to withhold, from certain consolidated schools their apportionment of state aid, and had threatened arbitrarily to refuse them recognition as accredited schools or permit them to collect tuition from pupils outside the district unless they agreed to enforce certain rules and regulations promulgated by the Department of Public Instruction as to the transportation of pupils to and from consolidated schools.

The testimony showed that in some instances school busses, drawn by horses, were temporarily or for a considerable period of time, driven by farm boys, some times pupils in the schools, under seventeen years of age, and the Superintendent of Public Instruction had written the school boards of such districts threatening to withhold state aid, approval as accredited schools, and the right to collect tuition, unless this was discontinued. It is the opinion of the committee and the opinion of Attorney

General Gibson, officially submitted to the committee, that the Superintendent has no original jurisdiction in such cases. The local school boards are directed by statute to provide suitable transportation for school children, and while the State Superintendent of Public Instruction may advise relative to such transportation, "the power and authority to provide the transportation and to determine the matters with reference thereto, rests in the local school board." The Superintendent of Public Instruction would have no authority to interfere in such a case, except where a case involving that question might be taken on appeal to the county superintendent, and from the county superintendent to the Superintendent of Public Instruction in the manner provided by law for the settlement of such appeals.

Your committee is of the opinion that this matter of transportation or drivers for school busses should be left where the statute now places it, entirely within the hands of the local school boards who are familiar with the local situations as they arise, and for the further reason that by enabling or allowing the local school boards to employ as drivers of busses, boys under the age of 17 years or boys who are attending the various schools, the cost of transportation may be thereby materially reduced from what the cost would be, were they obliged to employ men or grown persons who would have to give their full time to the work.

### III

Specification No. 5 alleges that the Superintendent of Public Instruction, May E. Francis, soon after taking office and on or about February 16, 1923, authorized the payment to the school fund of Pottawattamie county of the sum of five thousand seventy dollars (\$5070.00) to be distributed as state aid among fifty-five one room schools in said county for the school year ending June 30, 1922, and long prior to the time that the said May E. Francis took office. That prior thereto this matter had been adjudicated by her predecessor, P. E. McClenahan, who had entered a final decision that none of said fifty-five schools were entitled to this state aid.

The evidence conclusively shows that upon the reports and records submitted by the county superintendent of Pottawattamie county, and on file in the office of the Superintendent of Public Instruction, and under the statute and the rules and regulations of the Department, none of these fifty-five schools were entitled to this state aid for that year and the rulings of the said P. E. McClenahan were conclusive on that point. The Supreme Court of Iowa has held that when a matter of this kind has been finally adjudicated by any public board, department or officer, in the absence of an appeal, such decision is conclusive and binding upon the successors of such public officer or board (see Case vs. Davis County, 150 Iowa, 552).

Soon after taking office, Miss Francis took up this matter and finding that under the reports and records these schools could not be allowed this state aid, she caused the report cards to be re-graded. Even as re-graded under her directions they were still deficient. In an alleged brief recently submitted to the members of the house by her counsel, the charge is made that she refused to abide by these reports because they had been tampered

with. There is absolutely no evidence whatever in the record suggesting that these cards had ever been tampered with, nor was such a claim or statement ever made to the committee by Miss Francis or any other witness. They were re-checked and re-graded under her directions, but she was unable to tell why she had them re-graded if she did not intend to consider either the old or the new grades.

The statute provides that the right to this state aid shall be determined from reports made prior to June 30th of each year for the year then ending upon blanks furnished by the State Superintendent. (Chap. 364, 38 G. A.) The evidence conclusively shows that there is not now, and never was, any record of this kind in the State Superintendent's office entitling these fifty-five schools to this state aid. The State Superintendent bases her allowance of this state aid upon an alleged personal inspection, claiming that she personally inspected twenty-eight of these schools (see transcript pages 554, 556, 558, 580, 582 and 589) on a trip made to Pottawattamie county February 12, 1923, and that her decision regarding the other twenty-seven was based not upon any report filed in her office or any personal inspection on her part, but upon the statement of the county superintendent. She does not claim that all of these schools were in session at the time of such inspection, but that (Transcript 590) "we made as many schools while school was in session as we could, and we checked on the equipment, buildings, etc." The only reason she had to believe that the equipment in February, 1923, was the same as it was in the fall of 1921 was "I had no reason to doubt the word of the county superintendent \* \* \* she vouched for the fact that the school had the equipment."

The fifty-five schools in question (see Exhibit 62, transcript, page 616) were a part of the 216 rural schools of Pottawattamie county and scattered all over nineteen townships of one of the largest counties of the state, and the committee is unable to credit her statement that she personally visited and inspected twenty-eight of these schools on February 12th, between the hours of 8 a. m. and 4 p. m., besides checking over the records in the office of the county superintendent, taking lunch in Council Bluffs and dinner in the train returning to Des Moines.

In the opinion of the committee, the action of the State Superintendent in allowing this state aid to these fifty-five schools was entirely unwarranted. It was without legal authority for the reason that the matter had already been passed upon by former Superintendent McClenahan and for the further reason that the reports as made were not such as contemplated by the statute and not such as to warrant either Superintendent McClenahan or Superintendent Francis in allowing state aid to these fifty-five schools. It resulted in the payment of \$5070.00 of state funds which should never have been distributed to these schools.

Miss Francis testified that she had gone to Attorney General Gibson and taken his advice in this matter, but that she had not asked for nor received a written opinion from him. The attorney general on the stand testified that he had no recollection of any such conversation with Miss Francis. (Transcript page 606). Miss Francis also testified that she made this investigation in Pottawattamie county upon direction of the Governor. On the committee's request, the Governor filed a written statement regarding this matter in which he states: (Transcript page 624.)

"I have no recollection of discussing in detail with Miss Francis the matters at issue in Pottawattamie county and I don't now understand exactly what they are. I could not therefore and did not express the opinion that her authority as superintendent extended to the revocation of any order entered by her predecessor, effecting the administration of the schools in that county in the past. The only connection I had with the controversy was to invite her personal attention to it and I offered no advice as to how it should be determined."

## IV

Specifications Nos. 6 and 7 charge May E. Francis with certain conduct forbidden by the statutes of Iowa in connection with the primary election of 1922 and the campaign preceding, in that she is alleged to have employed various persons to render services for her and on behalf of her candidacy at the polls on election day, and that she did not include in her verified statement of expenditures in connection with her primary campaign as filed with the secretary of state, all of her expenditures as a candidate, but omitted therefrom certain items of expenditures which should have been included therein.

In this hearing, the said May E. Francis filed a written motion to strike from the specifications and charges all of that portion thereof which charged her with the use of money for election purposes, and a failure to include certain expenditures in her sworn statement of election expenses, alleging that because the offenses charged occurred prior to her induction into the office of Superintendent of Public Instruction, the committee and the general assembly were without jurisdiction or power to inquire into said alleged offenses.

Prior to the action by the House referring these resolutions to this committee, the said May E. Francis addressed a communication to the House of Representatives requesting and demanding an investigation of the charges against her, but because of the limited time allowed for this investigation, the committee did not act upon this motion, or take evidence upon which a finding might be made on said specifications. However, certain evidence in support of these allegations was filed with but not considered by this committee, and for the reasons above stated, the committee makes no finding in relation thereto.

## V

Specification No. 8 alleged that May E. Francis, as Superintendent of Public Instruction had "promulgated arbitrary rules which were never properly or legally passed, looking to the disqualification of teachers who were, under the law and by reason of their qualifications, entitled to teach in the schools of this state, and thereby compelling the Boards of Directors within the state of Iowa to wrongfully discharge teachers who were by right entitled to teach in such schools."

Many complaints along this line were received by the committee and by members of the House, indicating that rulings of this kind by the State Superintendent were causing hardship and disquietude among the teachers and school boards throughout the state.

During the first four days of the investigation, considerable evidence was taken by the committee in support of this specification, but because of the adoption of House Joint Resolution No. 8 by the House on April 25th and by the Senate on April 26th, 1924, your committee makes no finding of facts on this specification. In the opinion of the committee, if the Department of Public Instruction follows the provisions of this corrective and interpretative resolution, there should be no complaint in the future along this line.

Your committee has also investigated the complaint as to the distribution of the annual \$50,000.00 appropriation for the benefit of mining camp schools. The testimony shows that the fund was expended by the Department without following any definite or well-settled policy and that as a result of same the benefits from said appropriation have not been equitably divided among the various mining camp schools.

One inspector in the office of the State Superintendent of Public Instruction was paid entirely from this fund and yet many of the mining camp schools were not visited by the inspector. In some places the fund was used to pay teachers and in other places used for the purchase of equipment and maintenance and repair of buildings.

The testimony shows that some schools had been notified by the Department that no part of the money given by the state could be used for the payment of teachers' salaries. The fund appears to have been used with little or no reference in regard to the millage levy in the various school districts where mining camp schools are located.

In the town of Mystic, with an enrollment of 760, of whom 568 were miners' children, where the millage levy was 244, only \$2,000.00 was allowed, whereas at Mine No. 30 with an enrollment of 69 of whom 67 were miners' children and the millage levy 20 mills, state aid of \$750.00 was allowed.

The committee is unable to reconcile discriminations such as those referred to above with the purpose of the general assembly in providing such state aid. In the opinion of the committee, if a policy of state aid to mining camp schools, consolidated schools, standardized one-room schools, etc., is to be continued the method of distribution should be more carefully guarded and some limitation placed upon the present discretionary power of the State Superintendent to use and distribute these state funds.

## VI

The committee desires to refer briefly to an alleged "brief analysis of the charges and the evidence offered in support thereof" recently distributed among the members of the General Assembly by counsel for the State Superintendent. Counsel attempts to belittle the matter by referring to it as a "so-called investigation," ignoring the fact that the investigation was made upon the express request and demand of the State Superintendent and under the orders of the House of Representatives.

The alleged statement of evidence contained in this brief is misleading, untruthful and unreliable, and the entire document is a deliberate and studied attempt upon the part of counsel to pervert the evidence and mislead the readers regarding the situation disclosed by the testimony in this investigation.

Your committee listened to the evidence introduced and has studied the transcript thereof prepared by the reporters, and respectfully submits in this report a statement of the facts disclosed by the evidence and the recommendations of the committee in the premises.

C. F. CLARK, *Chairman.*

Passed on file.

#### MINORITY VIEWS

##### BEFORE THE HOUSE COMMITTEE ON JUDICIARY OF THE 40TH GENERAL ASSEMBLY OF THE STATE OF IOWA, EXTRA SESSION.

In the Matter of the Investigation Into the Conduct of the Office of the State Superintendent of Public Instruction, Authorized by Resolution Offered April 12, 1924 and Adopted April 15, 1924.—Minority Report.

The undersigned, members of the Judiciary Committee having had under consideration the investigation of certain charges made against Miss May E. Francis, Superintendent of Public Instruction, after the most patient and painstaking examination of all the evidence introduced during the hearing on said charges, beg leave to report the following findings and conclusions:

#### I

As to Specification 1, which is as follows:

"That the said May E. Francis, Superintendent of Public Instruction, did arbitrarily and without reason, raise the grade of one, or more, teachers of this state thus enabling such teacher, or teachers, to obtain a certificate when her examination showed she was not entitled thereto."

We find this charge to be wholly without support in the evidence; and further find that the charge itself was based upon inaccurate information and a misunderstanding as to the method of grading applicants for certificates.

#### II

As to the second specification, which is as follows:

"That the Superintendent of Public Instruction, May E. Francis, appointed as her deputy one Thelma Nelson, and certified that such deputy was qualified to act as such deputy when the said Thelma Nelson did not have such qualifications as are required by law to hold said position, and the said Thelma Nelson has held the position of deputy from the commencement of the term of office of Superintendent of Public Instruction and has drawn compensation as such down to the present time."

We find:

(a) That Miss Thelma Nelson is an efficient and faithful deputy superintendent of public instruction, with ability, learning and qualifications of the highest degree, and that her service in the department of the Superintendent of Public Instruction during the incumbency of Miss Francis, has been of a very high order.

(b) That prior to her appointment as deputy superintendent of public instruction, the business manager and treasurer of Des Moines University, Mr. J. R. Vaughan, the officer of said college whose duty and business it was to certify to its students' teaching experience, furnished Miss Francis the following certificate:

"Des Moines University,  
Highland Park,  
Des Moines, Iowa.

To Those Interested:

This is to certify that during the seven years which Thelma Nelson has been connected with Des Moines College and Des Moines University, she has had five years' teaching experience including class room instruction and private tutoring.

(Sgd.) J. R. VAUGHAN,  
Business Manager and Treasurer."

And that upon presentation of said certificate to the Governor, whose duty it was to approve the appointment of deputy superintendent of public instruction, the appointment by Miss Francis of Miss Thelma Nelson to act as her deputy, was duly and legally approved.

(c) That under the great weight of the evidence the said Thelma Nelson was, and is now, both as to educational training and teaching experience, fully qualified and eligible to appointment as deputy superintendent of public instruction.

### III.

That as to the third specification, which is as follows:

"That the said Superintendent of Public Instruction, May E. Francis, has arbitrarily refused to accredit consolidated schools in the state of Iowa, and withheld, or threatened to withhold, from them their apportionment of the state aid for consolidated schools and has endeavored to establish arbitrary rules and regulations to such accredited schools, which rules and regulations she has no legal power or authority, and has arbitrarily laid down rules and regulations as to the transportation of pupils to and from consolidated schools, and has attempted to make and enforce rules and regulations in connection with such transportation which rules and regulations only the board of directors of such districts have the power or authority to establish and enforce."

We find that under the evidence produced, the only foundation for the change in this specification is in the earnest desire of the Superintendent to bring the standard of the schools of the state up to the point contemplated by the legislature in the enactment of the laws pertaining to consolidated and accredited schools, and her persistent demand that the transportation of pupils to and from consolidated schools shall be under the charge of competent and careful drivers, and that in all cases the lives and limbs of the pupils be fully protected from danger in going to and from school, on account of careless and unfit drivers.

We further find that whatever was said, written or done by the Superintendent in respect to the matters covered by this specification, was done by her in good faith and to meet the responsibility that she felt belonged wholly to her when it charged her with the supervision of all of the schools of the state, and required that she co-operate with the school officers, not only in the upbuilding and improving of the schools themselves, but in the care and protection of the school children.

#### IV.

As to the fourth specification, which is as follows:

"That the said Superintendent of Public Instruction, May E. Francis, has arbitrarily and without legal authority withheld from qualified and competent teachers in the state of Iowa, certificates to teach in the schools of the state of Iowa to which they were properly entitled and for which they showed they were fully qualified."

We find that no evidence of any kind was produced or offered in support of this specification. On the contrary, the evidence establishes clearly a disposition and desire on the superintendent's part to secure for the schools of the state the services of all persons qualified to teach.

#### V.

As to the fifth specification, which is as follows:

"That after the Superintendent of Public Instruction, May E. Francis, took office, and in the year 1923, on or about the 15th day of February, 1923, authorized the payment to the school fund of Pottawattamie county the sum of five thousand and seventy dollars (\$5070.00) to be distributed among fifty-five (55) one-room schools in Pottawattamie county for the school year ending in June, 1922, and long prior to the time when the Superintendent of Public Instruction, May E. Francis, took office; that the said sum of money was by requisition authorized by the Superintendent of Public Instruction, May E. Francis, withdrawn from the Treasurer of the State of Iowa and paid to certain schools of Pottawattamie county. That prior thereto, and during the administration of P. E. McClenahan only thirty-seven (37) standard schools were recognized as being entitled to such money for the school year ending June, 1922, and the Superintendent of Public Instruction, May E. Francis, arbitrarily and without any lawful authority granted for the said school year to fifty-five (55) additional one-room schools in Pottawattamie county the said sum of five thousand and seventy dollars."

We find:

(a) That under the law as written, and as interpreted by the Attorney General, in the absence of collusion and fraud the superintendent had the legal right and was clearly within her power and duty in taking up what is known in the record as the Pottawattamie school matter, and causing to be issued and turned over to the schools of that county warrants for the amount mentioned in this specification.

(b) That every step taken by Miss Francis in the matter hereinabove was in good faith, and for the sole and only purpose of performing her public duty efficiently and justly.

(c) That the superintendent interested herself in the controversy at the request of the Governor, and upon the advice of the Attorney General that she had the legal right to determine the matter.

## VI.

That as to specifications VI and VII, which are as follows:

"That the Superintendent of Public Instruction, May E. Francis, either by herself, or by others acting for her, employed various persons to render services for her and on behalf of her candidacy at the polls on election day at various polling places and election precincts in the state of Iowa, and that such persons received compensation for such services in money paid by May E. Francis, or other persons acting for her and on her behalf.

"That the Superintendent of Public Instruction, May E. Francis, after the primary election filed a verified statement of the account of her nomination at the primary election, as required by law and that the said expenditures in connection with her candidacy for that office, and her nomination at the primary election, as required by law and that the said Superintendent of Public Instruction did not in such certificate of account include all of her expenditures as a candidate and omitted therefrom items and expenditures that should have been included therein as required by statute."

No evidence of any kind was submitted to the committee on these specifications.

## VII.

As to specifications No. VIII, which is as follows:

"The said Superintendent of Public Instruction, May E. Francis, has promulgated arbitrary rules which were never properly and legally passed looking to the disqualification of teachers who were under the law, and by reason of their qualification entitled to teach in the schools of this state and thereby compelling the board of directors within the state of Iowa to wrongfully discharge teachers who were by right entitled to teach in such schools, thus causing such board of directors to refuse to re-elect such teachers in such schools."

We find:

(a) That all of the rules promulgated by Miss Francis, so far as the evidence in this case establishes, instead of being arbitrary were promulgated for the sole and only purpose of improving the efficiency and qualifications of the teachers of the state.

(b) We further find that the record contains no evidence that the superintendent ever compelled any of the boards of directors of the state to wrongfully discharge teachers, or to refuse to re-elect teachers who were qualified under the law. On the contrary, it appears conclusively

from the record that in every case brought to the attention of the committee where the superintendent was in communication with school boards and others charged with the duty of selecting teachers, the superintendent was simply urging that teachers who had not met the requirements of the law should qualify themselves at the earliest possible moment, so that objections to their selection as teachers might be avoided, and in order that the teaching force of the state be brought up to the standard fixed by law.

It is therefore recommended by the undersigned, that the charges against the Superintendent of Public Instruction be dismissed, and that she be fully and completely exonerated from each and all of the charges contained in the several specifications.

Respectfully submitted,

JOHN A. STOREY

C. G. OLIVER

O. A. ONTJES

WM. L. LONG

FRED REWOLDT, JR.

#### PROOF OF PUBLICATION ON HOUSE FILE NO. 336

The official proof of publication of House File No. 336, a proposed bill for the legalization of the proceedings of the incorporated city of Ida Grove, Iowa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

Moen of Lyon moved that the House now adjourn until 9:00 a. m. Wednesday.

Clark of Linn moved to amend the motion by changing the hour from 9:00 a. m. to 10:00 a. m.

Amendment adopted.

Motion of Moen of Lyon, as amended, prevailed and the House stood adjourned.

# JOURNAL OF THE HOUSE

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HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JULY 23, 1924.

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

Prayer was offered by the Rev. L. G. Krebs, pastor of St. Paul's Evangelical Lutheran church, Des Moines, Iowa.

Journal of July 22d corrected and approved.

On motion of Hansen of Scott rule 63 was suspended for the day.

## PETITIONS

Aiken of Ida presented petitions from the trustees of Maple township, Ida county, and from the board of directors of Cushing Consolidated School District, urging the repeal of the budget law.

Rewoldt of Bremer presented petitions from school boards of Bremer county and from the county board of supervisors, urging a modification of the budget law.

Gallagher of Iowa presented petitions from twelve tax paying districts of Iowa county urging a modification of the budget law.

Henderson of Hamilton presented thirty-nine petitions from members of the certifying boards of Hamilton county urging a modification or repeal of the budget law.

Schulte of Worth presented petitions from members of the certifying boards of Worth county urging a modification or repeal of the budget law.

Speaker Anderson presented petitions from members of the certifying boards of Winnebago county urging a modification or repeal of the budget law.

Above petitions referred to committee on ways and means.

## OFFICIAL OATH OF OFFICE

The following named committee clerks took and subscribed to the required oath:

Pauline Crawford, Claire Goddard, Sara Kramer, Zoe Spittler, Leona Storey, Clara Weaver, Catherine A. Roberts.

## SPECIAL ORDER MADE

On request of Storey of Warren, unanimous consent having been obtained, the report of the committee on the investigation of the state superintendent of public instruction was made a special order for Thursday, July 24th, at 1:30 p. m.

## INTRODUCTION OF BILL

House File No. 337, by committee on judiciary, a bill for an act to legalize the transfer of funds by the Board of Supervisors of Union county, Iowa.

*Whereas*, Taxes have in years past been levied in Union county, Iowa, for the purpose of creating what is known as a county insane fund, out of which charges authorized by law may be paid by the county; and

*Whereas*, There is now in said fund twenty-five thousand dollars (\$25,000.00) which is not needed for the purpose for which said fund was raised and there are now no prospects of this amount being needed in said fund for the ensuing year; and

*Whereas*, The county general fund has been so decreased by proper charges paid therefrom that it is now inadequate and insufficient to pay all the charges against it and which will be chargeable against it within the next few months; and

*Whereas*, The board of supervisors of Union county by resolution authorized the transfer of twenty-five thousand dollars (\$25,000.00) from the county insane fund to the county general fund under the belief that they had authority so to do, it being deemed necessary and advisable that said transfer be made, and there being no other manner in which they deemed said fund could be legally used; and

*Whereas*, Doubts have arisen concerning the legality of said resolution transferring said moneys from the county insane fund to the county general fund, although such transfer will operate to the best interests of the county and its citizens; now, therefore,

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

Section 1. Transfer of funds. That the acts of the board of supervisors of Union county, Iowa, in transferring in the year nineteen hundred and twenty-four (1924) the sum of twenty-five thousand dollars (\$25,000.00)

from the county insane fund to the county general fund and the transfer of said fund be and the same are hereby legalized and such transfer and the expenditure of any moneys on account thereof for valid purposes by said county is hereby declared to be legal in the same manner as if all of the acts done in relation thereto were authorized by law.

Sec. 2. Publication. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Creston Daily Advertiser and the Afton Star Enterprise, newspapers published in Union county, Iowa, without expense to the state.

Read first and second times and passed on file.

#### PROOF OF PUBLICATION ON HOUSE FILE NO. 337

The official proof of publication of House File No. 337, a proposed bill for the legalization of the transfer of funds by the Board of Supervisors of Union County, Iowa, was duly filed with the chief clerk of the House in compliance with the provisions of section 6534-a1, supplement to the compiled code.

#### CONSIDERATION OF BILLS

House File No. 329, a bill for an act to amend section two hundred fifty-five (255) of House File eighty-four (84), acts of the extra session of the fortieth general assembly, relating to removal of insane persons from state hospitals, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Dewar	Gibson	Huff
Anderson of	Diltz	Gilbert	Johnson
Webster	Donhowe	Gilbertson	King
Berry	Dooley	Gilmore	Knutson
Blake	Doolittle	Graham	Lake
Blume	Dotts	Grimwood	Leonard
Bradley	Edge	Hansen	Letts
Brady	Edson	Harrison	Lichty
Brittain	Elliott	Hattendorf	Lieberknecht
Buffington	Fackler	Hauge	Long
Carter	Forsling	Healy	Lovrien
Children	Frahm	Held	McClune
Clark	Gallagher	Hempel	Mathews
Colbert	Garber of Floyd	Henderson	Matthiesen
Cole	Garber of Adair	Himehauch	Moen
Criswell	Gesman	Hollis	Noble

O'Donnell	Rankin	Scott of Fremont	Venard
Oliver	Rassler	Slemmons	Vincent
Olson	Rewoldt	Smith of	Wamstad
Ontjes	Rhinehart	Chickasaw	Weber
Orr	Rust	Smith of Lucas	Williams
Parsons	Sampson	Stock	Wilson
Patterson	Saunders	Stookesberry	Wolfe
Peterson	Schirmer	Storey	Yenter
Potts	Schulte	Strippel	Mr. Speaker—103
Powers	Scott of	Ulstad	
Quirk	Appanoose		
Ramsey			

The nays were, none.

Absent or not voting:

Miller	Natvig	Robson	Rumley—5
Napler			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 330, a bill for an act to amend sections fifty-one hundred fifty-three (5153), fifty-one hundred fifty-four (5154), and fifty-one hundred fifty-six (5156) and to repeal section fifty-one hundred fifty-seven (5157) of the compiled code of Iowa, relating to inspection of the sanitary condition of depots, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Doolittle	Hauge	Matthiesen
Anderson of	Dotts	Healy	Moen
Webster	Edge	Held	Natvig
Berry	Edson	Hempel	Noble
Blake	Elliott	Henderson	O'Donnell
Blume	Fackler	Himebauch	Oliver
Bradley	Forsling	Hollis	Olson
Brady	Frahm	Huff	Ontjes
Brittain	Gallagher	Johnson	Orr
Buffington	Garber of Floyd	King	Parsons
Carter	Gesman	Knutson	Patterson
Children	Gibson	Lake	Peterson
Clark	Gilbert	Leonard	Potts
Colbert	Gilbertson	Letts	Powers
Cole	Gilmore	Lichty	Quirk
Criswell	Graham	Lieberknecht	Ramsey
Dewar	Grimwood	Long	Rankin
Diltz	Hansen	Lovrien	Rassler
Donhowe	Harrison	McClune	Rewoldt
Dooley	Hattendorf	Mathews	Rhinehart

Rust	Scott of Fremont	Storey	Weber
Sampson	Slemmons	Strippel	Williams
Saunders	Smith of	Ulstad	Wilson
Schirmer	Chickasaw	Venard	Wolfe
Schulte	Smith of Lucas	Vincent	Yenter
Scott of	Stock	Wamstad	Mr. Speaker—103
Appanoose	Stookesberry		

The nays were, none.

Absent or not voting:

Garber of Adair	Napier	Robson	Rumley—5
Miller			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 331, a bill for an act to amend sections six (6) and eight (8) of House File two hundred forty-six (246), acts of the extra session of the fortieth general assembly, relating to abstracts of record in the supreme court, was taken up for consideration.

Doolittle of Delaware moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Adair	Lieberknecht	Sampson
Anderson of	Garber of Floyd	Long	Saunders
Webster	Gesman	Lovrien	Schirmer
Berry	Gibson	McClune	Schulte
Blake	Gilbert	Mathews	Scott of
Blume	Gilbertson	Matthiesen	Appanoose
Bradley	Gilmore	Moen	Scott of Fremont
Brady	Graham	Natvig	Slemmons
Brittain	Grimwood	Noble	Smith of
Buffington	Hansen	O'Donnell	Chickasaw
Carter	Harrison	Oliver	Smith of Lucas
Clark	Hattendorf	Olson	Stock
Colbert	Hauge	Ontjes	Stookesberry
Cole	Healy	Orr	Storey
Criswell	Held	Parsons	Strippel
Dewar	Hempel	Patterson	Ulstad
Diltz	Henderson	Peterson	Venard
Donhowe	Himebauch	Potts	Wamstad
Dooley	Hollis	Powers	Weber
Doolittle	Huff	Quirk	Williams
Dotts	King	Ramsey	Wilson
Edge	Knutson	Rankin	Wolfe
Edson	Lake	Rassler	Yenter
Elliott	Leonard	Rewoldt	Mr. Speaker—99
Forsling	Letts	Rhinehart	
Gallagher	Lichty	Rust	

The nays were, none.

Absent or not voting:

Children	Johnson	Napier	Rumley
Fackler	Miller	Robson	Vincent—9
Frahm			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 332, a bill for an act to amend section two hundred ten (210) of House File two hundred sixty-one (261), acts of the extra session of the fortieth general assembly, relating to inspection fees for scales, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Frahm	Leonard	Rankin
Anderson of	Gallagher	Letts	Rassler
Webster	Garber of Adair	Lichty	Rewoldt
Berry	Garber of Floyd	Lieberknecht	Rhinehart
Blake	Gesman	Long	Rust
Blume	Gibson	Lovrien	Sampson
Bradley	Gilbertson	McClune	Saunders
Brady	Gilmore	Mathews	Schirmer
Brittain	Graham	Matthiesen	Schulte
Buffington	Grimwood	Moen	Scott of
Carter	Hansen	Natvig	Appanoose
Children	Harrison	Noble	Scott of Fremont
Clark	Hattendorf	O'Donnell	Smith of Lucas
Colbert	Hauge	Oliver	Stokesberry
Cole	Healy	Olson	Strippel
Criswell	Hempel	Ontjes	Ulstad
Dewar	Henderson	Orr	Venard
Donhowe	Himebauch	Parsons	Vincent
Dooley	Hollis	Patterson	Wamstad
Doolittle	Huff	Peterson	Weber
Edge	Johnson	Potts	Williams
Edson	King	Powers	Wilson
Elliott	Knutson	Quirk	Yenter
Fackler	Lake	Ramsey	Mr. Speaker—95
Forsling			

The nays were, none.

Absent or not voting:

Diltz	Miller	Slemmons	Stock
Dotts	Napier	Smith of	Storey
Gilbert	Robson	Chickasaw	Wolfe—13
Held	Rumley		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 333, a bill for an act to amend section three (3), chapter one hundred thirty-seven (137), acts of the fortieth general assembly, relating to the issuance of improvement bonds by cities under the commission form of government, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Adair	Letts	Rhinehart
Anderson of	Garber of Floyd	Lichty	Sampson
Webster	Gesman	Lieberknecht	Saunders
Berry	Gibson	Long	Schirmer
Blake	Gilbert	Lovrien	Schulte
Blume	Gilbertson	McClune	Scott of
Bradley	Gilmore	Mathews	Appanoose
Brady	Graham	Mathiesen	Scott of Fremont
Buffington	Grimwood	Moen	Slemmons
Carter	Hansen	Natvig	Smith of
Children	Harrison	Noble	Chickasaw
Clark	Hattendorf	O'Donnell	Smith of Lucas
Cole	Hauge	Oliver	Stock
Criswell	Healy	Olson	Stookesberry
Diltz	Held	Ontjes	Strippel
Donhowe	Hempel	Orr	Ulstad
Dooley	Henderson	Parsons	Venard
Doollittle	Himebauch	Patterson	Vincent
Dotts	Hollis	Peterson	Wamstad
Edge	Huff	Powers	Weber
Edson	Johnson	Quirk	Williams
Elliott	King	Ramsey	Wilson
Fackler	Knutson	Rankin	Wolfe
Forsling	Lake	Rassler	Yenter
Frahm	Leonard	Rewoldt	Mr. Speaker—98
Gallagher			

The nays were, none.

Absent or not voting:

Brittain	Miller	Robson	Rust
Colbert	Napler	Rumley	Storey—10
Dewar	Potts		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 334, a bill for an act to provide for the publication of the acts of the extra session of the fortieth general as-

sembly, enacted subsequent to July twenty-second, nineteen hundred twenty-four (1924), was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of Webster	Gallagher Garber of Floyd	Letts Lichty	Rust Sampson
Berry	Gesman	Lieberknecht	Saunders
Blume	Gibson	Long	Schirmer
Bradley	Gilbert	Lovrien	Schulte
Brady	Gilbertson	McClune	Scott of
Buffington	Gilmore	Mathews	Appanoose
Carter	Graham	Matthiesen	Scott of Fremont
Children	Grimwood	Moen	Slemmons
Clark	Hansen	Natvig	Smith of
Colbert	Harrison	Noble	Chickasaw
Cole	Hattendorf	O'Donnell	Smith of Lucas
Criswell	Hauge	Oliver	Stock
Dewar	Healy	Olson	Stookesberry
Diltz	Held	Ontjes	Storey
Donhowe	Hempel	Orr	Strippel
Dooley	Henderson	Parsons	Venard
Doolittle	Himebauch	Patterson	Wamstad
Dotts	Hollis	Powers	Weber
Edge	Huff	Quirk	Williams
Edson	Johnson	Ramsey	Wilson
Elliott	King	Rankin	Wolfe
Fackler	Knutson	Rassler	Yenter
Forsling	Lake	Rewoldt	Mr. Speaker—96
Frahm	Leonard	Rhinehart	

The nays were:

Blake—1

Absent or not voting:

Aiken	Miller	Potts	Ulstad
Brittain	Napier	Robson	Vincent—11
Garber of Adair	Peterson	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 335, a bill for an act to amend section five (5) of House File one hundred fourteen (114), acts of the extra session of the fortieth general assembly, relating to the assignment of space in the historical building, was taken up for consideration.

Doolittle of Delaware moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Lichty	Sampson
Anderson of Webster	Gallagher	Lieberknecht	Saunders
Berry	Garber of Floyd	Long	Schirmer
Blake	Gesman	Lovrien	Schulte
Blume	Gibson	McClune	Scott of Appanoose
Bradley	Gilbert	Mathews	Scott of Fremont
Brady	Gilbertson	Matthiesen	Slemmons
Brittain	Gilmore	Moen	Smith of Chickasaw
Buffington	Graham	Natvig	Smith of Lucas
Carter	Grimwood	Noble	Stock
Children	Hansen	O'Donnell	Stookesberry
Clark	Harrison	Oliver	Storey
Colbert	Hattendorf	Olson	Strippel
Cole	Hauge	Ontjes	Venard
Criswell	Healy	Orr	Vincent
Dewar	Held	Parsons	Wamstad
Diltz	Hampel	Patterson	Weber
Dooley	Henderson	Peterson	Williams
Doolittle	Dooley	Powers	Wilson
Dotts	Johnson	Quirk	Wolfe
Edge	King	Ramsey	Yenter
Edson	Knutson	Rassler	Mr. Speaker—95
Elliott	Lake	Rhinehart	
Fackler	Leonard	Rust	
	Letts		

The nays were, none.

Absent or not voting:

Donhowe	Huff	Rankin	Rumley
Frahm	Miller	Rewoldt	Ulstad—13
Garber of Adair	Napier	Robson	
Hollis	Potts		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

On request of Aiken of Ida, unanimous consent having been obtained, House File No. 336, a bill for an act to legalize certain ordinances of the incorporated city of Ida Grove, Iowa, granting franchises to the Ida Grove Electric Company and the Ida County Telephone Company, both of the city of Ida Grove, Iowa, was recalled from the committee on judiciary and taken up for consideration.

Mr. Aiken moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Garber of Floyd	McClune	Schulte
Anderson of Webster	Gesman	Mathews	Scott of Appanoose
Blume	Gilbertson	Matthiesen	Scott of Fremont
Brady	Graham	Natvig	Slemmons
Brittain	Grimwood	Noble	Smith of Chickasaw
Carter	Harrison	O'Donnell	Smith of Lucas
Clark	Healy	Olson	Orr
Colbert	Held	Ontjes	Parsons
Cole	Hempel	Orr	Stookesberry
Criswell	Henderson	Parsons	Storey
Dewar	Hollis	Patterson	Strippel
Diltz	Huff	Peterson	Venard
Dooley	King	Powers	Vincent
Dotts	Knutson	Quirk	Weber
Edson	Lake	Ramsey	Williams
Elliott	Leonard	Rankin	Wilson
Fackler	Lieberknecht	Rassler	Yenter
Frahm	Long	Sampson	Mr. Speaker—76
Gallagher	Lovrien	Saunders	
		Schirmer	

The nays were:

Hauge Wamstad—2

Absent or not voting:

Berry	Forsling	Letts	Rewoldt
Blake	Garber of Adair	Lichty	Rhinehart
Bradley	Gilbert	Miller	Robson
Buffington	Gilmore	Moen	Rumley
Children	Hansen	Napier	Rust
Donhowe	Hattendorf	Oliver	Ulstad
Doolittle	Himebauch	Potts	Wolfe—30
Edge	Johnson		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 337, by committee on judiciary, a bill for an act to legalize the transfer of funds by the Board of Supervisors of Union county, Iowa, was taken up and considered.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third reading of a bill on the same day, Vincent of Guthrie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Blume	Brittain	Children
Berry	Bradley	Buffington	Colbert
Blake	Brady	Carter	Cole

Criswell	Harrison	Matthiesen	Saunders
Dotts	Healy	Natvig	Schirmer
Edson	Held	Noble	Stock
Elliott	Hempel	O'Donnell	Stookesberry
Fackler	Henderson	Olson	Storey
Forsling	Himebauch	Parsons	Strippel
Frahm	Hollis	Patterson	Smith of
Gallagher	Huff	Peterson	Chickasaw
Garber of Floyd	King	Potts	Smith of Lucas
Gesman	Knutson	Powers	Vincent
Gibson	Letts	Quirk	Weber
Gilbertson	Lichty	Ramsey	Wilson
Gilmore	Lieberknecht	Rankin	Wolfe
Graham	Long	Rhinehart	Yenter
Grimwood	Lovrien	Sampson	Mr. Speaker—71

The nays were:

Hauge	Ontjes	Rassler	Scott of Fremont
Oliver	Orr	Schulte	Wamstad—8

Absent or not voting:

Anderson of	Edge	McClune	Rust
Webster	Garber of Adair	Mathews	Scott of
Clark	Gilbert	Miller	Appanoose
Dewar	Hansen	Moen	Slemmons
Diltz	Hattendorf	Napier	Ulstad
Donhowe	Johnson	Rewoldt	Venard
Dooley	Lake	Robson	Williams—29
Doolittle	Leonard	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### COMMUNICATION FROM TAXPAYERS COMMITTEE OF GREENE COUNTY

The following communication was received from the Taxpayers Committee of Greene county:

Des Moines, Iowa.  
July 22, 1924.

JOE H. ANDERSON, *Speaker of the House*,  
Des Moines, Iowa.

Dear Sir: We herewith present to you an open letter to the Governor of the state and to the General Assembly requesting that action be taken looking towards an investigation of the public matters therein referred to connected with the affairs of Greene county, Iowa.

As citizens and taxpayers of Iowa and Greene county we believe that the matters referred to in the attached letter should be investigated, to the end that the guilty, if any, may be punished, that any money wrongfully taken from the taxpayers of the county may be recovered, and that other public officials may be deterred from like irregularities in the future.

We are especially insistent that action be taken at this special session of the legislature for the reason that if action is postponed until next

January, the right of action to recover much of the money which we believe was misappropriated may be barred by the statute of limitations.

We request therefore that you present this matter to the branch of the legislature over which you preside, and take such other steps as you may think best to bring the matter before the General Assembly and procure action therein. As we are uncertain as to the proper manner of procedure herein we are simultaneously submitting this matter to the Governor, the President of the Senate and the Speaker of the House, so that if you think best you may confer together in the matter.

For the reasons outlined above and in the letter attached we respectfully urge your prompt attention in the matter.

Respectfully submitted,

H. M. MARKEE,  
*President Taxpayers Committee  
Greene Co. Iowa*

On motion of Clark of Linn the House adjourned until 10:00 a. m. Thursday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES  
DES MOINES, IOWA, JULY 24, 1924.

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

Prayer was offered by the Rev. O. W. Morrow, pastor of the M. E. church, Dallas Center, Iowa.

Journal of July 23d corrected and approved.

## PETITIONS

Petitions urging the repeal or a modification of the budget law were presented by the following representatives:

Criswell of Boone from members of the certifying boards of Boone county.

Scott of Fremont from members of the certifying boards of Fremont county.

Miller of Shelby from members of the certifying boards of Shelby county.

Blake of Fayette from members of the certifying boards of Fayette county.

Strippel of Benton from members of the certifying boards of Benton county.

Aiken of Ida from the board of education of Galva consolidated school and the board of education of Silver Creek township.

Blume of Crawford from the members of the school board of Goodrich township requesting repeal of the budget law and dog law.

Rewoldt of Bremer from Frederika township school directors.

Above petitions referred to the committee on ways and means.

## INTRODUCTION OF BILLS

House File No. 338, by committee on military affairs, a bill for an act to amend the law as it appears in section forty-two hundred seventy (4270) and section forty-two hundred seventy-one (4271) of the Compiled Code, in relation to powers of commission form cities in reference to parks and levying a tax for improvement therein.

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

Section 1. That the law as it appears in section forty-two hundred seventy (4270) of the compiled code, is hereby amended by inserting in line four (4) thereof, immediately after the words "bath houses" the word "armories."

Sec. 2. That the law as it appears in section forty-two hundred seventy-one (4271) of the compiled code, is hereby amended by inserting in line five (5) thereof, immediately following the words "bath houses" the word "armories."

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Iowa Forum and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Read first and second times and, unanimous consent having been obtained, the bill was taken up for immediate consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third reading of a bill on the same day, Yenter of Johnson moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Donhowe	Harrison	Lovrien
Anderson of	Dooley	Hattendorf	McClune
Webster	Doolittle	Hauge	Mathews
Berry	Dotts	Healy	Matthiesen
Blake	Edge	Held	Moen
Bradley	Elliott	Hempel	Natvig
Brady	Fackler	Henderson	Oliver
Brittain	Frahm	Himebauch	Orr
Buffington	Gallagher	Hollis	Parsons
Children	Garber of Floyd	Huff	Patterson
Clark	Gesman	Johnson	Peterson
Colbert	Gibson	King	Powers
Cole	Gilbert	Knutson	Quirk
Criswell	Gilbertson	Leonard	Ramsey
Dewar	Gilmore	Letts	Rankin
Diltz	Hansen	Lieberknecht	Rassler

Rewoldt	Scott of	Smith of Lucas	Vincent
Rhinehart	Appanoose	Stookesberry	Wamstad
Robson	Scott of Fremont	Storey	Wilson
Rust	Slemmons	Strippel	Wolfe
Sampson	Smith of	Ulstad	Yenter
Schirmer	Chickasaw	Venard	Mr. Speaker—85

The nays were:

Blume—1

Absent or not voting:

Carter	Lake	O'Donnell	Saunders
Edson	Lichty	Olson	Schulte
Forsling	Long	Ontjes	Stock
Garber of Adair	Miller	Potts	Weber
Graham	Napier	Rumley	Williams—22
Grimwood	Noble		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 339, by committee on code revision, a bill for an act to amend section twenty (20) of chapter three (3) of the acts of the extra session of the fortieth general assembly so as to fix the maximum price of the Code of 1924.

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

Section 1. That section twenty (20) of chapter three (3) of the acts of the extra session of the Fortieth General Assembly be amended by changing the period at the end thereof to a comma and adding thereto the following: "Provided, however, that the code of 1924 shall be sold at not more than five dollars (\$5.00) per volume delivered in the state or seven and fifty/one-hundredths dollars (\$7.50) delivered outside of the state.

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Iowa Forum and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Read first and second times and, unanimous consent having been obtained, the bill was taken up for immediate consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third reading of a bill on the same day, Gilbert of Marshall moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

## On the question "Shall the bill pass?"

The ayes were:

Aiken	Elliott	Leonard	Rhinehart
Anderson of	Fackler	Letts	Robson
Webster	Forsling	Lichty	Sampson
Berry	Frahm	Lieberknecht	Saunders
Blake	Gallagher	Long	Schirmer
Blume	Garber of Floyd	Lovrien	Schulte
Bradley	Gesman	McClune	Scott of Fremont
Brady	Gibson	Mathews	Slemmons
Buffington	Gilbert	Matthiesen	Smith of Lucas
Carter	Gilbertson	Miller	Stookesberry
Children	Gilmore	Natvig	Storey
Clark	Hansen	Noble	Venard
Colbert	Hattendorf	Oliver	Vincent
Cole	Healy	Ontjes	Wamstad
Criswell	Held	Orr	Williams
Dewar	Hempel	Parsons	Wilson
Diltz	Henderson	Patterson	Wolfe
Dooley	Himebauch	Peterson	Mr. Speaker—83
Doolittle	Hollis	Powers	
Dotts	Huff	Quirk	
Edge	Johnson	Ramsey	
Edson	Knutson	Rassler	

The nays were:

Harrison	Smith of	Strippel	Ulstad—6
Moen	Chickasaw		
Rankin			

Absent or not voting:

Brittain	Hauge	Olson	Scott of
Donhowe	King	Potts	Appanoose
Garber of Adair	Lake	Rewoldt	Stock
Graham	Napier	Rumley	Weber
Grimwood	O'Donnell	Rust	Yenter—19

So the bill having received a constitutional majority was declared to have passed the House 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. 329, a bill for an act to amend section two hundred fifty-five (255) of the House File eighty-four (84), acts of the extra session of the Fortieth General Assembly, relating to removal of insane persons from state hospitals.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 334, a bill for an act to provide for the publication of the acts of the extra session of the Fortieth General Assembly, enacted subsequent to July twenty-second, nineteen hundred twenty-four (1924).

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 336, a bill for an act to legalize certain ordinances of the incorporated city of Ida Grove, Iowa, granting franchises to the Ida Grove Electric Company and the Ida County Telephone Company, both of the city of Ida Grove, Iowa.

Also, 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 to legalize the transfer of funds by the board of supervisors of Union county, Iowa.

Also, that the Senate has passed House Joint Resolution No. 10, relating to the selection of additional employees of the special session of the Fortieth General Assembly, fixing their compensation and duties.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 332, a bill for an act legalizing the acts of the Honorable Fred L. Maytag, acting director of the budget and the Honorable Joseph Mattes and the Honorable W. P. Dawson, acting members of the appeal board.

Also, that the Senate has passed Senate File No. 333, a bill for an act to make an appropriation to carry into effect the provisions of chapter 4, acts of the extra session of the Fortieth General Assembly.

LEON W. AINSWORTH, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 332, a bill for an act legalizing the acts of the Honorable Fred L. Maytag, acting director of the budget and the Honorable Joseph Mattes and the Honorable W. P. Dawson, acting members of the appeal board.

Read first and second times and passed on file.

Senate File No. 333, a bill for an act to make an appropriation to carry into effect the provision of chapter four (4), acts of the extra session of the fortieth general assembly.

Read first and second times and passed on file.

#### CONSIDERATION OF BILLS

Senate File No. 332, a bill for an act legalizing the acts of

the Honorable Fred L. Maytag, acting director of the budget and the Honorable Joseph Mattes and the Honorable W. P. Dawson, acting members of the appeal board, was taken up for consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third reading of a bill on the same day, Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Frahm	Lovrien	Sampson
Webster	Gallagher	Mathews	Saunders
Blume	Garber of Floyd	Matthiesen	Schirmer
Bradley	Gesman	Moen	Schulte
Brady	Gibson	Natvig	Scott of
Brittain	Gilbert	Noble	Appanooce
Buffington	Gilmore	Oliver	Scott of Fremont
Carter	Graham	Ontjes	Smith of
Children	Harrison	Orr	Chickasaw
Clark	Hattendorf	Parsons	Smith of Lucas
Colbert	Hauge	Patterson	Stock
Cole	Healy	Peterson	Stookesberry
Diltz	Held	Powers	Strippel
Donhowe	Hempel	Quirk	Ulstad
Dooley	Henderson	Ramsey	Venard
Doolittle	Hollis	Rankin	Vincent
Dotts	Johnson	Rassler	Weber
Edge	Knutson	Rewoldt	Wilson
Edson	Letts	Rhinehart	Wolfe
Elliott	Lichty	Robson	Yenter
Fackler	Lieberknecht	Rust	Mr. Speaker—83
Forsling	Long		

The nays were:

Dewar—1

Absent or not voting:

Aiken	Grinwood	Leonard	Potts
Berry	Hansen	McClune	Rumley
Blake	Himebauch	Miller	Slemmons
Criswell	Huff	Napier	Storey
Garber of Adair	King	O'Donnell	Wamstad
Gilbertson	Lake	Olson	Williams—24

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 333, a bill for an act to make an appropriation to carry into effect the provision of chapter four (4), acts

of the extra session of the fortieth general assembly, was taken up for consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third reading of a bill on the same day, Doolittle of Delaware moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blake	Gallagher	Lieberknecht	Rewoldt
Blume	Garber of Floyd	Long	Rhinehart
Bradley	Gesman	Lovrien	Robson
Brady	Gibson	McClune	Sampson
Brittain	Gilbertson	Mathews	Saunders
Buffington	Graham	Matthiesen	Schirmer
Carter	Hansen	Moen	Schulte
Clark	Harrison	Natvig	Slemmons
Colbert	Hattendorf	Noble	Smith of
Cole	Hauge	Oliver	Chickasaw
Criswell	Healy	Ontjes	Smith of Lucas
Dewar	Held	Orr	Stock
Donhowe	Hempel	Parsons	Strippel
Dooley	Henderson	Patterson	Ulstad
Doolittle	Himebauch	Peterson	Wamstad
Dotts	Hollis	Potts	Weber
Edge	Johnson	Powers	Williams
Edson	King	Quirk	Wilson
Elliott	Knutson	Ramsey	Wolfe
Fackler	Letts	Rankin	Yenter
Frahm	Lichty	Rassler	Mr. Speaker—83

The nays were:

Anderson of	Berry	Leonard	Scott of Fremont
Webster	Huff	Miller	Stookesberry—7

Absent or not voting:

Aiken	Gilbert	O'Donnell	Scott of
Children	Gilmore	Olson	Appanoose
Diltz	Grimwood	Rumley	Storey
Forsling	Lake	Rust	Venard
Garber of Adair	Napier		Vincent—18

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Knutson of Cerro Gordo moved that the report of the committee on judiciary relative to the investigation of the state superintendent of public instruction be rereferred to the committee on judiciary and that the committee be instructed to

make a constructive report to the House at the earliest possible date; also, that the majority and the minority reports of the committee, as found in the Journal of July 22d, be expunged from the records.

Lovrien of Humboldt raised the point of order that since the matter of the report of the committee had been set for a special order for 1:30 p. m., today, the motion of Knutson of Cerro Gordo was out of order.

The Speaker ruled that the point of order was well taken.

On motion of Hauge of Polk the House adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### 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. 329, a bill for an act to amend, revise, and codify sections forty-three hundred forty-one (4341) and forty-five hundred twelve (4512) of the compiled code of Iowa, relating to taxation in cities acting under special charters.

Also, 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 to legalize the certification and levy of taxes and assessments on property by municipalities as defined in chapter five (5) of chapter four (4), acts of the extra session of the Fortieth General Assembly.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 335, a bill for an act to amend section 5418 of the supplement to the compiled code so as to remove from the exemptions to the provisions of the Blue Sky law the securities of certain corporations organized under the laws of this state.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 335, a bill for an act to amend section five (5) of House File one hundred fourteen (114), acts of the extra session of the Fortieth General Assembly, relating to the assignment of space in the historical building.

Also, 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 to amend section three (3), chapter one hundred thirty-seven (137), acts of the Fortieth General Assembly, relating to the issuance of improvement bonds by cities under the commission form of government.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 331, a bill for an act to amend sections six (6) and eight (8) of House File two hundred forty-six (246), acts of the extra session of the Fortieth General Assembly, relating to abstracts of record in the supreme court.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 332, a bill for an act to amend section two hundred ten (210) of House File two hundred sixty-one (261), acts of the extra session of the Fortieth General Assembly, relating to inspection fees for scales.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 330, a bill for an act to amend sections fifty-one hundred fifty-three (5153), fifty-one hundred fifty-four (5154), and fifty-one hundred fifty-six (5156) and to repeal section fifty-one hundred fifty-seven (5157) of the compiled code of Iowa, relating to inspection of the sanitary condition of depots.

Also, that the Senate has adopted Senate Concurrent Resolution No. 21, in which the concurrence of the House is asked, a resolution relating to the closing of affairs following final adjournment.

LEON W. AINSWORTH, *Secretary.*

#### SENATE CONCURRENT RESOLUTION NO. 21

*Resolved by the Senate, the House concurring:* That the secretary of the Senate and the chief clerk of the House be required to remain at the capitol and perform their respective duties for so long a time as may be necessary following the final adjournment of the final session of the Fortieth General Assembly and that they be authorized to select such of their respective assistants as may be necessary for such time as may be required for the purpose of correcting and certifying the records of the session and otherwise closing up the business of their respective offices.

That the secretary of the Senate and the chief clerk of the House are hereby authorized to correct the journals of the Senate and House respectively for the last day of the special session.

That each of the said officers and employees shall receive the same compensation per day for such extra service performed as they now receive to be paid by the auditor of state upon certification by the president and secretary of the Senate and the speaker and chief clerk of the House.

## SPECIAL ORDER NO. 1

The matter of the report of the committee on judiciary relative to the investigation of the state superintendent of public instruction was taken up for consideration.

Knutson of Cerro Gordo renewed the following motion made by him in the session of this morning:

“Moved that the report of the committee on judiciary relative to the investigation of the state superintendent of public instruction be rereferred to the committee on judiciary and that the committee be instructed to make a constructive report to the House at the earliest possible date; also, that the majority and minority reports of the committee as found in the Journal of July 22d, be expunged from the records.”

Doolittle of Delaware asked for a division of the motion.

On the question “Shall part one of the motion by Knutson of Cerro Gordo prevail?” a roll call was demanded.

The ayes were:

Colbert	Edge	Hauge	Lovrien
Cole	Fackler	Knutson	Potts—11
Dewar	Forsling	Lake	

The nays were:

Aiken	Gibson	Mathiesen	Schirmer
Anderson of Webster	Gilbert	Miller	Schulte
Berry	Gilbertson	Moen	Scott of Appanoose
Blake	Gilmore	Natvig	Scott of Fremont
Blume	Graham	Noble	Slemmons
Bradley	Grimwood	O'Donnell	Smith of Chickasaw
Brady	Hansen	Oliver	Smith of Lucas
Buffington	Harrison	Olson	Stock
Carter	Hattendorf	Ontjes	Stookesberry
Children	Healy	Orr	Storey
Criswell	Hempel	Parsons	Strippel
Diltz	Henderson	Patterson	Ulstad
Donhowe	Himebauch	Peterson	Venard
Dooley	Huff	Powers	Vincent
Doolittle	Johnson	Quirk	Wamstad
Dotts	King	Ramsey	Weber
Edson	Leonard	Rankin	Wilson
Frahm	Letts	Rassler	Wolfe
Gallagher	Lichty	Rewoldt	Yenter
Garber of Adair	Lieberknecht	Rhinehart	Mr. Speaker—86
Garber of Floyd	Long	Robson	
Gesman	Mathews	Saunders	

Absent or not voting:

Brittain	Held	Napier	Sampson
Clark	Hollis	Rumley	Williams—11
Elliott	McClune	Rust	

Part one of the motion by Knutson of Cerro Gordo was lost.

The question before the House was on the second part of the motion by Knutson of Cerro Gordo.

Doolittle of Delaware raised the point of order that to expunge any part of the records would require a two-thirds vote.

On request of Knutson of Cerro Gordo, unanimous consent having been obtained, the motion to expunge the reports from the record was withdrawn.

Doolittle of Delaware in the chair.

Storey of Warren moved that the minority report, as found in the Journal of July 22d, be substituted for the report of the majority as found in the Journal of the same date.

Forsling of Woodbury moved that the House adjourn until 9:00 a. m. Friday.

Motion lost.

Anderson of Webster moved the previous question.

Motion prevailed.

Speaker Anderson in the chair.

On the question "Shall the minority report be substituted for the report of the majority?" a roll call was demanded.

The ayes were:

Aiken	Gibson	Noble	Schulte
Anderson of	Gilbertson	Oliver	Scott of
Webster	Graham	Olson	Appanoose
Berry	Harrison	Ontjes	Scott of Fremont
Blume	Hattendorf	Orr	Slemmons
Brady	Hempel	Parsons	Smith of Lucas
Brittain	Henderson	Patterson	Stookesberry
Buffington	Huff	Peterson	Storey
Children	King	Potts	Strippel
Criswell	Leonard	Quirk	Ulstad
Dooley	Long	Ramsey	Venard
Dotts	Mathews	Rassler	Wamstad
Frahm	Matthiesen	Rewoldt	Wolfe
Garber of Floyd	Miller	Saunders	Mr. Speaker—56
Gesman	Natvig		

The nays were:

Blake	Fackler	Johnson	Robson
Bradley	Forsling	Knutson	Rust
Carter	Gallagher	Lake	Sampson
Clark	Garber of Adair	Letts	Schirmer
Colbert	Gilbert	Lichty	Smith of
Cole	Gilmore	Lieberknecht	Chickasaw
Dewar	Grimwood	Lovrien	Stock
Diltz	Hansen	McClune	Vincent
Donhowe	Hauge	Moen	Weber
Doolittle	Healy	O'Donnell	Williams
Edge	Held	Powers	Wilson
Edson	Himebauch	Rankin	Yenter—50
Elliott	Hollis	Rhinehart	

Absent or not voting:

Napier                      Rumley—2

The minority report was substituted for the report of the majority:

Storey of Warren moved the adoption of the minority report.

A roll call was demanded.

On the question "Shall the minority report be adopted?"

The ayes were:

Aiken	Gibson	Noble	Saunders
Anderson of	Gilbertson	Oliver	Schulte
Webster	Graham	Olson	Scott of
Berry	Harrison	Ontjes	Appanoose
Blume	Hattendorf	Orr	Scott of Fremont
Brittain	Hempel	Parsons	Smith of Lucas
Buffington	Henderson	Patterson	Stookesberry
Children	Huff	Peterson	Storey
Criswell	King	Potts	Ulstad
Dooley	Leonard	Quirk	Venard
Dotts	Long	Ramsey	Wamstad
Frahm	Mathews	Rassler	Wolfe
Garber of Floyd	Matthiesen	Rewoldt	Mr. Speaker—52
Gesman	Natvig		

The nays were:

Blake	Forsling	Lake	Rust
Bradley	Gallagher	Letts	Sampson
Brady	Garber of Adair	Lichty	Schirmer
Carter	Gilbert	Lieberknecht	Slemmons
Clark	Gilmore	Lovrien	Smith of
Colbert	Grimwood	McClune	Chickasaw
Cole	Hansen	Miller	Stock
Dewar	Hauge	Moen	Strippel
Diltz	Healy	O'Donnell	Vincent
Donhowe	Held	Powers	Weber
Doolittle	Himebauch	Rankin	Williams
Edge	Hollis	Rhinehart	Wilson
Edson	Johnson	Robson	Yenter—54
Elliott	Knutson		
Fackler			

**Absent or not voting:**

Napier                      Rumley—2

The minority report was rejected.

**EXPLANATION OF VOTE**

We wish to explain our vote by saying that we would also vote no on the majority report.

We are for any measure which will correct the objections expressed but we are not for either whitewashing or besmirching the character of the State Superintendent of Public Instruction.

C. A. KNUTSON  
W. J. COLBERT  
ALFRED WILLIAMS

We voted no on the minority report for the reason that we are opposed to the adoption of either report.

S. E. FACKLER  
T. E. POWERS  
GEO. W. EDGE  
J. C. McCLUNE  
H. N. DONHOWE

Finding that the minority report is not sustained by the evidence in all its particulars, and believing that from the evidence submitted it is apparent that practices have been in vogue not only during the term of the present incumbent, but prior thereto which are not to the best interests of the schools of Iowa, and that the judiciary committee should have pointed out corrective measures and made findings which would improve the school situation instead of the report which has been made we find it necessary to vote against the substitution of the minority report for the majority report in hopes that the said substitution may not be made and thereby give us an opportunity to vote "No" also on the adoption of the majority report.

A. O. HAUGE  
FRED C. LOVRIEN

**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. 339, a bill for an act to amend section twenty (20) of chapter three (3) of the acts of the extra session of the Fortieth General Assembly so as to fix the maximum price of the code of 1924.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 338, a bill for an act to amend the law as it appears in section forty-two hundred seventy (4270) and section forty-two hundred seventy-one (4271) of the compiled code, in relation to powers of commission form cities in reference to parks and levying a tax for improvement therein.

Also, that the Senate has passed the following bill in which the concurrence of the House is asked:

Senate File No. 336, a bill for an act to make appropriations for the payment of state and other expenses.

LEON W. AINSWORTH, *Secretary.*

#### SENATE MESSAGES CONSIDERED

Senate File No. 329, a bill for an act to amend, revise, and codify sections forty-three hundred forty-one (4341) and forty-five hundred twelve (4512) of the compiled code of Iowa, relating to taxation in cities acting under special charters.

Read first and second times and passed on file.

Senate File No. 331, a bill for an act to legalize the certification and levy of taxes and assessments on property by municipalities as defined in chapter five (5) of chapter four (4), acts of the extra session of the fortieth general assembly.

Read first and second times and passed on file.

Senate File No. 335, a bill for an act to amend section 5418 of the Supplement to the Compiled Code so as to remove from the exemptions to the provisions of the Blue Sky Law the securities of certain corporations organized under the laws of this state.

Read first and second times and referred to committee on judiciary.

Senate File No. 336, a bill for an act to make appropriations for the payment of state and other expenses.

Read first and second times and referred to committee on appropriations.

#### INTRODUCTION OF BILLS

By unanimous consent the following bills were introduced:

House File No. 340, by committee on animal industry, a bill for an act to amend chapter twenty-three (23) of the acts of the extra session of the fortieth (40th) general assembly, relat-

ing to the accredited area plan for the eradication of bovine tuberculosis.

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

Section 1. That the law as it appears in section twenty-five (25) of chapter twenty-three (23) of the acts of the extra session of the Fortieth General Assembly be and the same is hereby amended by inserting immediately following the period in line six (6) of said section the following:

"In determining the seventy-five per cent referred to in this section any agreement which has been filed with the Secretary of Agriculture shall be included for the period of two (2) years thereafter."

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

Read first and second times and passed on file.

House File No. 341, by committee on animal industry, a bill for an act to legalize the enrollment by the secretary of agriculture of certain counties under the accredited area plan for the eradication of bovine tuberculosis.

*Whereas*, As the law now reads, it is quite difficult for the Secretary of Agriculture to determine accurately the number of owners of breeding cattle in any county, who have signed agreements in force, under the provisions of law relating to the accredited area plan for the eradication of bovine tuberculosis; and

*Whereas*, Ostensibly there has been filed in good faith with the Secretary of Agriculture the required number of such agreements in certain counties, to authorize the Secretary of Agriculture to enroll said counties under the said accredited area plan; and

*Whereas*, Certain counties have been in good faith enrolled by the Secretary of Agriculture of Iowa under the accredited area plan for the eradication of bovine tuberculosis; therefore,

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

Section 1. That the acts of the Secretary of Agriculture heretofore made and done in enrolling any county in the state under the accredited area plan for the eradication of bovine tuberculosis under the provisions of chapter twenty-three (23) of the acts of the extra session of the Fortieth General Assembly, be and the same are hereby validated and legalized in the same manner as though all of the provisions of law preliminary and relating thereto had been fully complied with, and said counties are hereby declared to be so enrolled.

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

Read first and second times and passed on file.

On motion of Healy of Hancock the House adjourned until 10:00 a. m. Friday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JULY 25, 1924.

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

Prayer was offered by the Hon. E. A. Grimwood of Jones county.

Journal of July 24th corrected and approved.

## PETITIONS

Petitions urging the repeal or a modification of the budget law were presented by the following representatives:

Brady of O'Brien from members of the certifying boards of O'Brien county.

Gilbertson of Winneshiek from members of the certifying boards of Winneshiek county.

Aiken of Ida from boards of education and township trustees of Ida county and city officers of the towns of Arthur and Battle Creek.

Above petitions referred to committee on ways and means.

## REPORT OF COMMITTEE

Hauge of Polk, from the committee on appropriations, submitted the following report:

MR. SPEAKER: Your committee on appropriations to whom was referred Senate File No. 336, a bill for an act to make appropriations for the payment of state and other expenses, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. O. HAUGE, *Chairman.*

Report adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

**MR. SPEAKER:** Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

Senate Files Nos. 332 and 333.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## CONCURRENT RESOLUTION CONSIDERED

Senate Concurrent Resolution No. 21, as found in the House Journal of July 24th, relative to the closing of affairs following final adjournment, was taken up and considered.

On motion of Clark of Linn the House concurred in the Senate concurrent resolution.

## CONSIDERATION OF BILLS

House File No. 340, a bill for an act to amend chapter twenty-three (23) of the acts of the extra session of the fortieth (40th) general assembly, relating to the accredited area plan for the eradication of bovine tuberculosis, was taken up for consideration.

McClune of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Doolittle	Healy	Miller
Anderson of	Dotts	Held	Moen
Webster	Edge	Hempel	Natvig
Berry	Edson	Henderson	Noble
Blake	Elliott	Himebauch	Olson
Bradley	Fackler	Hollis	Ontjes
Brady	Forsling	Huff	Orr
Brittain	Gallagher	Johnson	Parsons
Buffington	Garber of Floyd	King	Patterson
Carter	Gibson	Knutson	Peterson
Children	Gilbert	Leonard	Powers
Clark	Gilbertson	Letts	Quirk
Colbert	Graham	Lichty	Ramsey
Criswell	Grimwood	Lieberknecht	Rankin
Dewar	Hansen	Long	Rewoldt
Diltz	Harrison	Lovrien	Rhinehart
Donhowe	Hattendorf	McClune	Robson

Rust	Appanoose	Strippel	Williams
Sampson	Smith of	Venard	Wilson
Saunders	Chickasaw	Vincent	Wolfe
Schirmer	Slemmons	Wamstad	Yenter
Schulte	Smith of Lucas	Weber	Mr. Speaker—87
Scott of	Storey		

The nays were:

Blume	Gesman	Oliver	Stookesberry—7
Frahm	Mathews	Rassler	

Absent or not voting:

Cole	Hauge	O'Donnell	Scott of Fremont
Dooley	Lake	Potts	Stock
Garber of Adair	Matthiesen	Rumley	Ulstad—14
Gilmore	Napier		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File No. 341, a bill for an act to legalize the enrollment by the secretary of agriculture of certain counties under the accredited area plan for the eradication of bovine tuberculosis, was taken up for consideration.

McClune of Mahaska moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Forsling	Lichty	Robson
Anderson of	Gallagher	Lieberknecht	Rust
Webster	Garber of Adair	Long	Sampson
Berry	Garber of Floyd	Lovrien	Saunders
Blake	Gesman	McClune	Schirmer
Bradley	Gibson	Mathews	Schulte
Brady	Gilbert	Miller	Scott of
Brittain	G ibertson	Moen	Appanoose
Buffington	Graham	Natvig	Scott of Fremont
Carter	Grimwood	Oliver	Smith of
Children	Hansen	Olson	Chickasaw
Clark	Harrison	Ontjes	Smith of Lucas
Colbert	Hattendorf	Orr	Storey
Cole	Healy	Parsons	Strippel
Criswell	Held	Patterson	Venard
Dewar	Hempel	Peterson	Vincent
Diltz	Henderson	Powers	Wamstad
Donhowe	Himebauch	Quirk	Weber
Doolittle	Hollis	Ramsey	Williams
Dotts	Johnson	Rankin	Wilson
Edge	King	Rassler	Wolfe
Edson	Knutson	Rewoldt	Yenter
Elliott	Letts	Rhinehart	Mr. Speaker—89

The nays were:

Blume                      Frahm                      Stookesberry—3

Absent or not voting:

Dooley	Huff	Napier	Rumley
Fackler	Lake	Noble	Slemmons
Gilmore	Leonard	O'Donnell	Stock
Hauge	Matthiesen	Potts	Ulstad—16

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### MOTIONS TO RECONSIDER LAID UPON TABLE

McClune of Mahaska moved that the vote by which House File No. 340 passed the House be reconsidered and the motion to reconsider be laid upon the table.

Motion prevailed.

McClune of Mahaska moved that the vote by which House File No. 341 passed the House be reconsidered and the motion to reconsider be laid upon the table.

Motion prevailed.

Senate File No. 336, a bill for an act to make appropriations for the payment of state and other expenses, with report of committee on appropriations recommending passage, was taken up for consideration.

Harrison of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Diltz	Gibson	Johnson
Webster	Donhowe	Gilbert	King
Berry	Dooley	Gilbertson	Knutson
Blume	Doolittle	Gilmore	Leonard
Bradley	Dotts	Graham	Letts
Brady	Edge	Grimwood	Lichty
Brittain	Edson	Harrison	Lieberknecht
Buffington	Elliott	Hattendorf	Long
Carter	Forsling	Healy	Lovrien
Children	Frahm	Held	McClune
Clark	Gallagher	Henderson	Mathews
Colbert	Garber of Adair	Himebauch	Matthiesen
Criswell	Garber of Floyd	Hollis	Miller
Dewar	Gesman	Huff	Moer

Natvig	Quirk	Schulte	Ulstad
Noble	Ramsey	Scott of Fremont	Venard
Oliver	Rankin	Slemmons	Wamstad
Olson	Rassler	Smith of	Weber
Ontjes	Rewoldt	Chickasaw	Williams
Orr	Rhinehart	Smith of Lucas	Wilson
Parsons	Robson	Stookesberry	Wolfe
Patterson	Sampson	Storey	Yenter
Peterson	Saunders	Strippel	Mr. Speaker—92
Powers	Schirmer		

The nays were, none.

Absent or not voting:

Aiken	Hauge	O'Donnell	Scott of
Blake	Hempel	Potts	Appanoose
Cole	Lake	Rumley	Stock
Fackler	Napier	Rust	Vincent—16
Hansen			

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 331, a bill for an act to legalize the certification and levy of taxes and assessments on property by municipalities as defined in chapter five (5) of chapter four (4), acts of the extra session of the fortieth general assembly, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Garber of Adair	Letts	Robson
Webster	Garber of Floyd	Lichty	Rust
Blake	Gesman	Lieberknecht	Sampson
Blume	Gibson	Long	Saunders
Bradley	Gilbert	Lovrien	Schirmer
Brady	Gilbertson	McClune	Scott of
Brittain	Gilmore	Mathews	Appanoose
Carter	Graham	Miller	Scott of Fremont
Children	Grimwood	Moen	Slemmons
Clark	Hansen	Natvig	Smith of
Colbert	Harrison	Noble	Chickasaw
Criswell	Hattendorf	Oliver	Smith of Lucas
Dewar	Healy	Olson	Stookesberry
Diltz	Held	Ontjes	Storey
Donhowe	Henderson	Parsons	Strippel
Doolittle	Himebauch	Patterson	Ulstad
Dotts	Hollis	Peterson	Venard
Edson	Huff	Powers	Wamstad
Elliott	Johnson	Quirk	Weber
Fackler	King	Ramsey	Williams
Forsling	Knutson	Rankin	Wilson
Frahm	Lake	Rassler	Yenter
Gallagher	Leonard	Rewoldt	Mr. Speaker—89

The nays were, none.

Absent or not voting:

Aiken	Edge	O'Donnell	Schulte
Berry	Hauge	Orr	Stock
Buffington	Hempel	Potts	Vincent
Cole	Matthiesen	Rhinehart	Wolfe—19
Dooley	Napier	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 329, a bill for an act to amend, revise, and codify sections forty-three hundred forty-one (4341) and forty-five hundred twelve (4512) of the compiled code of Iowa, relating to taxation in cities acting under special charters, was taken up for consideration.

Clark of Linn moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Anderson of	Garber of Floyd	Long	Sampson
Webster	Gesman	Lovrien	Saunders
Berry	Gibson	Mathews	Schrmer
Blake	Gilbert	Miller	Schulte
Blume	Gilbertson	Moen	Scott of
Brady	Graham	Natvig	Appanoose
Brittain	Grimwood	Noble	Scott of Fremont
Carter	Hansen	Oliver	Slemmons
Children	Harrison	Olson	Smith of
Clark	Hattendorf	Ontjes	Chickasaw
Colbert	Healy	Orr	Smith of Lucas
Criswell	Held	Parsons	Stookesberry
Diltz	Hempel	Patterson	Storey
Donhowe	Henderson	Peterson	Strippel
Doolittle	Johnson	Powers	Vincent
Dotts	King	Ramsey	Wamstad
Edge	Knutson	Rankin	Weber
Edson	Lake	Rassler	Williams
Elliott	Leonard	Rewoldt	Wilson
Forsling	Lichty	Robson	Yenter
Gallagher	Lieberknecht	Rust	Mr. Speaker—82
Garber of Adair			

The nays were, none.

Absent or not voting:

Aiken	Frahm	McClune	Rumley
Bradley	Gilmore	Matthiesen	Stock
Buffington	Hauge	Napier	Ulstad
Cole	Himebauch	O'Donnell	Venard
Dewar	Hollis	Potts	Wolfe—26
Dooley	Huff	Quirk	
Fackler	Letts	Rhinehart	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 332, 333, 329, 331 and 336.

On motion of Ressler of Pocahontas the House adjourned until 2:00 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson 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 Senate Concurrent Resolution No. 22, in which the concurrence of the House is asked, a resolution relating to the purchase of chairs by members of the Fortieth General Assembly.

LEON W. AINSWORTH, *Secretary*.

#### CONCURRENT RESOLUTION NO. 22

*Whereas*, Some of the members of the extraordinary session of the Fortieth General Assembly desire to purchase the chairs occupied by them during that session; therefore,

*Be It Resolved by the Senate, the House concurring*: That such members be permitted to purchase such chairs from the secretary of the executive council at the price of replacement and that the custodian of the state house be instructed to crate such chairs as may be purchased and deliver them to the express office in Des Moines, addressed to the purchaser.

By unanimous consent the resolution was taken up for immediate consideration.

On motion of Hauge of Polk the House concurred in the Senate concurrent resolution.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 330, 331, 332, 333, 335, 338, 339, 329, 334, 336, 337 and House Joint Resolution No. 10.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 330, 331, 332, 333, 335, 338, 339, 329, 334, 336, 337 and House Joint Resolution No. 10.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this twenty-fifth day of July, 1924, sent to the Governor for his approval:

House Files Nos. 333, 335, 338, 339, 329, 334, 336, 337, 330, 331, 332 and House Joint Resolution No. 10.

C. F. LETTS, *Chairman.*

Report 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. 330, a bill for an act to amend sections sixty (60) and sixty-one (61), chapter four (4), acts of the extra session of the Fortieth General Assembly, relating to the local budget.

LEON W. AINSWORTH, *Secretary.*

#### SENATE MESSAGE CONSIDERED

Senate File No. 330, a bill for an act to amend sections sixty (60) and sixty-one (61), chapter four (4), acts of the extra session of the fortieth general assembly, relating to the local budget.

Read first and second times and, unanimous consent having been obtained, the bill was taken up for immediate consideration.

Children of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File No. 330, section one (1); paragraph five (5), by inserting after the word "trustees" in the last line thereof the following: "or by the officers of any municipality exempted under paragraph one of this section."

Amendment rejected.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third reading of a bill on the same day, Lovrien of Humboldt moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Aiken	Fackler	Lichty	Sampson
Anderson of Webster	Forsling	Lieberknecht	Saunders
Berry	Frahm	Long	Schirmer
Blake	Gallagher	Lovrien	Schulte
Blume	Garber of Adair	McClune	Scott of
Bradley	Garber of Floyd	Mathews	Appanoose
Brady	Gibson	Miller	Scott of Fremont
Brittain	Gilbertson	Moen	Slemmons
Buffington	Gilmore	Natvig	Smith of
Carter	Graham	Noble	Chickasaw
Children	Grimwood	Olson	Smith of Lucas
Clark	Harrison	Ontjes	Stock
Colbert	Hattendorf	Orr	Stookesberry
Cole	Hauge	Parsons	Strippel
Criswell	Healy	Patterson	Ulstad
Dewar	Held	Peterson	Venard
Diltz	Hempel	Powers	Vincent
Donhowe	Henderson	Quirk	Wamstad
Dooley	Hollis	Rankin	Weber
Doolittle	Huff	Rassler	Williams
Dotts	Johnson	Rewoldt	Wilson
Edge	King	Rhinehart	Wolfe
Edson	Knutson	Robson	Yenter
Elliott	Letts	Rust	Mr. Speaker—94

The nays were, none.

Absent or not voting:

Gesman	Lake	O'Donnell	Ramsey
Gilbert	Leonard	Oliver	Rumley
Hansen	Mathiesen	Potts	Story—14
Himebauch	Napier		

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully report they have examined and find correctly enrolled:

Senate Files Nos. 329, 331 and 336.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## APPOINTMENT OF COMMITTEE ON MILEAGE

Hauge of Polk moved that a committee of three be appointed to determine the mileage due each member.

Motion prevailed.

The Speaker appointed as such committee: Hauge of Polk, Miller of Shelby and Quirk of Sac.

## REPORT OF COMMITTEE ON MILEAGE

Hauge of Polk, from the committee appointed to determine the mileage due each member, submitted the following report:

MR. SPEAKER: Your committee appointed to fix the amount of mileage due each member, begs leave to submit the following report:

Name	Miles	Amount
John H. Aiken.....	144	\$14.40
C. E. Anderson.....	65	6.50
J. H. Anderson.....	166	16.60
W. S. Berry.....	70	7.00
W. B. Blake.....	208	20.80
Theo. C. Blume.....	128	12.80
A. V. Brady.....	207	20.70
John Bradley.....	73	7.30
David Brittain.....	40	4.00
C. R. Buffington.....	169	16.90
L. V. Carter.....	90	9.00
Wm. C. Children.....	141	14.10
C. F. Clark.....	142	14.20
W. J. Colbert.....	95	9.50
E. J. Cole.....	155	15.50
W. S. Criswell.....	35	3.50
H. C. Dewar.....	164	16.40
Volney Diltz.....	.....	.....
H. N. Donhowe.....	48	4.80
W. J. Dooley.....	114	11.40
Clyde H. Doolittle.....	172	17.20
A. G. Dotts.....	75	7.50
George W. Edge.....	39	3.90
W. C. Edson.....	135	13.50
Frank W. Elliott.....	175	17.50
S. E. Fackler.....	103	10.30

Name	Miles	Amount
L. B. Forsling.....	216	21.60
Henry Frahm.....	93	9.30
R. O. Garber.....	60	6.00
J. S. Garber.....	156	15.60
N. J. Gesman.....	48	4.80
D. M. Gibson.....	56	5.60
F. B. Gilbert.....	55	5.50
O. Gilbertson.....	226	22.60
William Gilmore.....	179	17.90
S. L. Graham.....	97	9.70
E. A. Grimwood.....	184	18.40
John T. Hansen.....	183	18.30
E. P. Harrison.....	113	11.30
H. C. Hattendorf.....	187	18.70
A. O. Hauge.....	.....	.....
E. P. Healy.....	155	15.50
G. E. Held.....	228	22.80
J. G. Hempel.....	320	32.00
M. L. Henderson.....	51	5.10
Fred Himebauch.....	185	18.50
C. A. Hollis.....	115	11.50
Charles W. Huff.....	131	13.10
Francis Johnson.....	180	18.00
James A. King.....	156	15.60
C. A. Knutson.....	149	14.90
Frank C. Lake.....	210	21.00
Arthur Leonard.....	110	11.00
C. F. Letts.....	124	12.40
E. M. Lichty.....	108	10.80
Ernst Lieberknecht.....	169	16.90
Wm. L. Long.....	117	11.70
Fred C. Lovrien.....	110	11.00
H. A. Mathews.....	153	15.30
E. C. Matthiesen.....	225	22.50
J. C. McClune.....	64	6.40
Geo. E. Miller.....	120	12.00
T. E. Moen.....	230	23.00
Ole Natvig.....	215	21.50
A. C. Noble.....	170	17.00
T. J. O'Donnell.....	206	20.60
C. G. Oliver.....	186	18.60
John Olson.....	199	19.90
O. A. Outjes.....	106	10.60
John Orr.....	89	8.90
Thomas Parsons.....	99	9.90
Geo. W. Patterson.....	129	12.90
Nels Peterson.....	128	12.80
George W. Potts.....	218	21.80
T. E. Powers.....	140	14.00
L. T. Quirk.....	140	14.00
J. M. Ramsey.....	142	14.20
John M. Rankin.....	225	22.50
A. G. Rassler.....	122	12.20
Fred Rewoldt, Jr.....	140	14.00
Chas. Rhinehart.....	22	2.20
Paul N. Robson.....	80	8.00
H. A. Rust.....	103	10.30
F. C. Sampson.....	107	10.70
W. E. G. Saunders.....	142	14.20
W. F. Schirmer.....	229	22.90
H. H. Schulte.....	130	13.00

Name	Miles	Amount
C. H. Scott.....	100	10.00
W. C. Scott.....	167	16.70
Geo. F. Slemmons.....	141	14.10
C. D. Smith.....	65	6.50
Ward B. Smith.....	150	15.00
T. B. Stock.....	340	34.00
Arthur Stookesberry.....	115	11.50
John A. Storey.....	22	2.20
Warner Strippel.....	135	13.50
Oscar Ulstad.....	99	9.90
G. L. Venard.....	232	23.20
Earl W. Vincent.....	60	6.00
Brede Wamstad.....	172	17.20
John H. Weber.....	266	26.60
Alfred Williams.....	126	12.60
W. W. Wilson.....	104	10.40
Thomas L. Wolfe.....	158	15.80
Ray A. Yenter.....	121	12.10

All of which is respectfully submitted.

A. O. HAUGE,  
GEO. E. MILLER,  
L. T. QUIRK,

Report adopted.

#### HOUSE CONCURRENT RESOLUTION NO. 15

Clark of Linn offered the following concurrent resolution:

*Be It Resolved by the House of Representatives, the Senate concurring:*  
That the extra session of the Fortieth General Assembly do adjourn sine die at twelve o'clock, noon, July 26, 1924.

Unanimous consent having been obtained to consider the resolution at this time, Clark of Linn moved its adoption.

Motion prevailed and the resolution was adopted.

Edson of Buena Vista moved that Sargeant-at-Arms Oley Nelson be given the chair occupied by him during this extra session.

Motion prevailed.

Hauge of Polk in the chair.

#### PRESENTATION OF CHAIR AND GAVEL TO THE SPEAKER

As a token of appreciation and good wishes on the part of members of the House, Edson of Buena Vista moved that Speaker Anderson be presented with the Speaker's gavel and the chair occupied by him during this extra session.

Motion prevailed and the presentation was made by Rankin of Lee.

On motion of Vincent of Guthrie the House adjourned until 9:00 a. m. Saturday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JULY 26, 1924.

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

Prayer was offered by the Rev. C. William Best, pastor of the First Congregational church, Perry, Iowa.

Journal of 25th corrected and approved.

Clark of Linn moved that the chief janitor, Henry C. McCraven, be presented with the chair occupied by him during the sessions in which he has been employed by the House.

Motion prevailed.

## PETITIONS

Blake of Fayette presented petitions from the members of the certifying boards of Fayette county urging the repeal or a modification of the budget law.

## REPORT OF COMMITTEE

Clark of Linn, from the committee on judiciary, submitted the following report:

MR. SPEAKER: Your committee on judiciary to whom was referred Senate File No. 335, a bill for an act to amend section 5418 of the supplement to the compiled code so as to remove from the exemptions to the provisions of the Blue Sky Law the securities of certain corporations organized under the laws of 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 indefinitely postponed.

C. F. CLARK, *Chairman.*

By unanimous consent the report was taken up for immediate consideration.

On motion of Lovrien of Humboldt the report was adopted and Senate File No. 335 was indefinitely postponed.

## 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. 340, a bill for an act to amend chapter twenty-three (23) of the acts of the extra session of the Fortieth General Assembly, relating to the accredited area plan for the eradication of bovine tuberculosis.

Also, that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House File No. 341, a bill for an act to legalize the enrollment by the Secretary of Agriculture of certain counties under the accredited area plan for the eradication of bovine tuberculosis.

LEON W. AINSWORTH, *Secretary.*

## INTRODUCTION OF JOINT RESOLUTION

Doolittle of Delaware asked and obtained unanimous consent to introduce the following joint resolution:

House Joint Resolution No. 11, a joint resolution relating to mileage of officers of the extra session of the Fortieth General Assembly, reconvening July 22, and making an appropriation therefor.

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

Section 1. The officers of the extra session of the Fortieth General Assembly are to be allowed mileage to and from their respective homes, the amount of which to be determined by the committee on mileage of the House and Senate.

Sec. 2. There is hereby appropriated out of any funds of the state treasury, not otherwise appropriated, an amount sufficient to pay the mileage herein allowed.

Read first and second times and, unanimous consent having been obtained, the resolution was taken up for immediate consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third reading of a joint resolution on the same day, Doolittle of Delaware moved that it be read a third time now and placed upon its passage, which motion prevailed and the joint resolution was read a third time.

On the question "Shall the joint resolution pass?"

The ayes were:

Aiken	Colbert	Dotts	Gallagher
Blume	Dewar	Edge	Gesman
Carter	Diltz	Edson	Gibson
Children	Donhowe	Elliott	Gilmore
Clark	Doolittle	Fackler	Grimwood

Hansen	Long	Parsons	Strippel
Harrison	Lovrien	Rankin	Ulstad
Hattendorf	McClune	Rassler	Vincent
Healy	Mathews	Rewoldt	Wamstad
Henderson	Matthiesen	Robson	Weber
Himebauch	Miller	Rust	Williams
Hollis	Noble	Sampson	Wolfe
Huff	O'Donnell	Schirmer	Mr. Speaker—61
Knutson	Oliver	Schulte	
Leonard	Ontjes	Slemmons	
Letts	Orr	Smith of Lucas	

The nays were, none.

Absent or not voting:

Anderson of	Garber of Adair	Moen	Saunders
Webster	Garber of Floyd	Napier	Scott of
Berry	Gilbert	Natvig	Appanoose
Blake	Gilbertson	Olson	Scott of Fremont
Bradley	Graham	Patterson	Smith of
Brady	Hauge	Peterson	Chickasaw
Brittain	Held	Potts	Stock
Buffington	Hempel	Powers	Stookesberry
Cole	Johnson	Quirk	Storey
Criswell	King	Ramsey	Venard
Dooley	Lake	Rhinehart	Wilson
Forsling	Lichty	Rumley	Yenter—47
Frahm	Lieberknecht		

So the joint resolution having received a constitutional majority was declared to have passed the House 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. 341, a bill for an act to authorize the refund of excess moneys paid by any person for the purchase of a copy of the new code, and to make an appropriation therefor.

Also, 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 to appropriate sufficient funds to pay the salary of the Director of the Budget and the salary of the stenographer of the Director of the Budget.

LEON W. AINSWORTH, *Secretary*.

#### SENATE MESSAGES CONSIDERED

Senate File No. 341, a bill for an act to authorize the refund of excess moneys paid by any person for the purchase of a copy of the new code, and to make an appropriation therefor.

Read first and second times and, unanimous consent having been obtained, the bill was taken up for immediate consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third reading of a bill on the same day, Harrison of Pottawattamie moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blume	Gibson	Lovrien	Robson
Carter	Gilbert	McClune	Rust
Children	Gilmore	Mathews	Sampson
Colbert	Grimwood	Matthlesen	Schirmer
Criswell	Hansen	Miller	Schulte
Dewar	Harrison	Noble	Slemmons
Diltz	Hattendorf	O'Donnell	Smith of Lucas
Donhowe	Healy	Oliver	Strippel
Dotts	Henderson	Ontjes	Ulstad
Edge	Himebauch	Orr	Venard
Edson	Hollis	Parsons	Vincent
Elliott	Knutson	Peterson	Wamstad
rackler	Leonard	Rankin	Weber
Gallagher	Letts	Rassler	Williams
Gesman	Long	Rewoldt	Mr. Speaker—60

The nays were, none.

Absent or not voting:

Aiken	Forsling	Lichty	Saunders
Anderson of Webster	Frahm	Lieberknecht	Scott of Appanoose
Berry	Garber of Adair	Moen	Scott of Fremont
Blake	Garber of Floyd	Napier	Smith of Chickasaw
Bradley	Gilbertson	Natvig	Stock
Brady	Graham	Olson	Stookesberry
Brittain	Hauge	Patterson	Storey
Buffington	Held	Potts	Wilson
Clark	Hempel	Powers	Wolfe
Cole	Huff	Quirk	Yenter—48
Dooley	Johnson	Ramsey	
Doolittle	King	Rhinehart	
	Lake	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File No. 342, a bill for an act to appropriate sufficient funds to pay the salary of the director of the budget and the salary of the stenographer of the director of the budget.

Read first and second times and, by unanimous consent taken up for immediate consideration.

Unanimous consent having been obtained to suspend the rule prohibiting the second and third reading of a bill on the same day, Edson of Buena Vista moved that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question "Shall the bill pass?"

The ayes were:

Blake	Gesman	Lovrien	Robson
Blume	Gibson	McClune	Rust
Carter	Gilbert	Mathews	Sampson
Children	Gilmore	Matthiesen	Schirmer
Clark	Grimwood	Miller	Schulte
Colbert	Hansen	Noble	Slemmons
Criswell	Harrison	O'Donnell	Smith of Lucas
Dewar	Hattendorf	Oliver	Strippel
Diltz	Healy	Ontjes	Ulstad
Donhowe	Henderson	Parsons	Venard
Dotts	Himebauch	Peterson	Vincent
Edge	King	Quirk	Wamstad
Edson	Knutson	Rankin	Weber
Elliott	Leonard	Rassler	Williams
Fackler	Letts	Rewoldt	Wolfe
Gallagher	Long	Rhinehart	Mr. Speaker—64

The nays were, none.

Absent or not voting:

Aiken	Frahm	Lichty	Saunders
Anderson of Webster	Garber of Adair Garber of Floyd	Lieberknecht Moen	Scott of Appanoose
Berry	Gilbertson	Napier	Scott of Fremont
Bradley	Graham	Natvig	Smith of Chickasaw
Brady	Hauge	Olson	Stock
Brittain	Held	Orr	Stookesberry
Buffington	Hempel	Patterson	Storey
Cole	Hollis	Potts	Wilson
Dooley	Huff	Powers	Yenter—44
Doolittle	Johnson	Ramsey	
Forsling	Lake	Rumley	

So the bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### MOTION TO RECONSIDER

The following motion to reconsider was filed:

MR. SPEAKER: I move to reconsider the vote by which the House Concurrent Resolution No. 15 passed the House.

FRED C. LOVRIEN.

I second the motion.

C. A. KNUTSON,  
CLYDE H. DOOLITTLE.

On motion of Rankin of Lee the House adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully report they have examined and find correctly enrolled:

Senate File No. 330 and House Files Nos. 340 and 341.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: House Files Nos. 340, 341, and Senate File No. 330.

#### MOTION TO RECONSIDER FILED

Edson of Buena Vista filed the following motion to reconsider:

MR. SPEAKER: I move to reconsider the vote by which the committee report on Senate File No. 335 was adopted.

W. C. EDSON.

#### 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 House Joint Resolution No. 11, a resolution relating to mileage of officers of the extra session of the Fortieth General Assembly, reconvening July 22, and making an appropriation therefor.

LEON W. AINSWORTH, *Secretary.*

#### REPORT OF COMMITTEE ON MILEAGE

Hauge of Polk, from the committee on mileage, submitted the following report and moved its adoption:

MR. SPEAKER: We, your committee on mileage, find that the following officers are entitled to mileage in the following amounts in accordance with House Joint Resolution No. 11:

Frank S. Vetter.....	110 miles	\$11.00
Oley Nelson.....	26 miles	2.60

A. O. HAUGE, *Chairman.*

GEO. E. MILLER

L. T. QUIRK

Report adopted.

On motion of Rassler of Pocahontas the House adjourned until 2:00 p. m., Monday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JULY 28, 1924.

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

Prayer was offered by Rev. Henry McCraven of Des Moines, Iowa.

Journal of July 26th corrected and approved.

On motion of Ressler of Pocahontas, Ulstad of Wright was excused indefinitely.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Joint Resolution No. 11.

C. F. LETTS, *Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following joint resolution: House Joint Resolution No. 11.

## BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this twenty-sixth day of July, 1924, sent to the Governor for his approval:

House Files Nos. 340 and 341.

C. F. LETTS, *Chairman.*

Report adopted.

Donhowe of Story moved that the House adjourn until 5:00 p. m. today.

Motion lost.

Lake of Woodbury moved that the House adjourn until 10:00 a. m. Tuesday.

Rankin of Lee moved to amend the motion by changing the hour from 10:00 a. m. to 11:00 a. m.

Amendment adopted.

Motion of Lake of Woodbury, as amended, prevailed and the House stood adjourned.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JULY 29, 1924.

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

Prayer was offered by the Hon. E. A. Grimwood of Jones county.

Journal of July 28th corrected and approved.

## PETITIONS

Criswell of Boone presented a petition from members of the certifying board of Des Moines township, Boone county, urging a repeal or modification of the budget law.

Referred to committee on ways and means.

On motion of Lake of Woodbury, Blake of Fayette was excused indefinitely.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Letts of Washington, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. SPEAKER: Your joint committee on enrolled bills respectfully report they have examined and find correctly enrolled:

Senate Files Nos. 341 and 342.

GEO F. SLEMMONS, *Acting Chairman House Committee.*

F. C. GILCHRIST, *Chairman Senate Committee.*

Report adopted.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had, on July 25th, approved the following bills: House Files Nos. 339, 336, 334, 329, 337, 330, 331, 332, 335, 333, 338, and House Joint Resolution No. 10.

Criswell of Boone moved that a committee of three be appointed to consult the attorney general concerning action on a resolution providing for adjournment sine die in the absence of a quorum.

Vincent of Guthrie moved as a substitute motion that the attorney general be requested to render an opinion on the following question:

“Can the House vote upon a concurrent resolution providing for the sine die adjournment of the general assembly in the known absence of a quorum even though the point of the lack of a quorum be not raised?”

Substitute motion prevailed.

#### BILLS SENT TO THE GOVERNOR

Letts of Washington, from the committee on enrolled bills, submitted the following report:

MR. SPEAKER: Your committee on enrolled bills respectfully reports that it has, on this twenty-ninth day of July, 1924, sent to the Governor for his approval:

House Joint Resolution No. 11.

C. F. LETTS, *Chairman.*

Report adopted.

Brittain of Madison moved that the House adjourn until 10:00 a. m. Wednesday.

Noble of Muscatine moved to amend the motion by changing the time from 10:00 a. m. Wednesday to 1:00 p. m. today.

Garber of Adair moved to amend the amendment by changing the hour from 1:00 p. m. to 5:00 p. m.

Amendment to the amendment adopted.

Amendment, as amended, adopted.

Motion of Brittain of Madison, as amended, prevailed.

#### AFTERNOON SESSION

The House reconvened, Speaker Anderson in the chair.

#### BILLS SIGNED BY THE SPEAKER

The Speaker of the House announced that, as Speaker of the House, he had signed in the presence of the House, the following bills: Senate Files Nos. 341 and 342.

On motion of Dewar of Cherokee the House adjourned until 8:00 a. m. Wednesday.

# JOURNAL OF THE HOUSE

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JULY 30, 1924.

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

Prayer was offered by Mr. Oley Nelson of Slater, Iowa.

Journal of July 29th corrected and approved.

The roll was called to ascertain the presence of a quorum.

Those present were:

Anderson of	Gesman	Letts	Rankin
Webster	Gibson	Lichty	Rassler
Berry	Gilmore	Long	Rewoldt
Blume	Graham	McClune	Rhinehart
Bradley	Grtnwood	Mathews	Robson
Children	Hansen	Noble	Sampson
Colbert	Hattendorf	O'Donnell	Schirmer
Criswell	Healy	Oliver	Schulte
Dewar	Hempel	Olson	Slemmons
Donhowe	Henderson	Ontjes	Smith of Lucas
Dotts	Himebauch	Orr	Storey
Edge	Hollis	Parsons	Venard
Edson	King	Quirk	Vincent
Fackler	Lake	Ramsey	Mr. Speaker—56
Gallagher			

Those absent were:

Aiken	Garber of Adair	Miller	Smith of
Blake	Garber of Floyd	Moen	Chickasaw
Brady	Gilbert	Napier	Stock
Brittain	Gilbertson	Natvig	Stookesberry
Buffington	Harrison	Patterson	Strippel
Carter	Hauge	Peterson	Ulstad
Clark	Held	Potts	Wamstad
Cole	Huff	Powers	Weber
Diltz	Johnson	Rumley	Williams
Dooley	Knutson	Rust	Wilson
Doolittle	Leonard	Saunders	Wolfe
Elliott	Lieberknecht	Scott of	Yenter—52
Forsling	Lovrien	Appanoose	
Frahm	Matthiesen	Scott of Fremont	

The roll call disclosed the presence of a quorum.

## MOTION TO RECONSIDER CALLED UP

Edson of Buena Vista called up the motion filed to reconsider the vote by which the committee report indefinitely postponing Senate File No. 335 was adopted.

On the question "Shall the vote be reconsidered?"

The ayes were:

Anderson of Webster	Garber of Adair	Lichty	Rewoldt
Berry	Gesman	Long	Rhinehart
Bradley	Gilmore	McClune	Robson
Children	Grimwood	Mathews	Sampson
Criswell	Hattendorf	O'Donnell	Schirmer
Dilts	Healy	Oliver	Schulte
Donhowe	Hempel	Olson	Stemmons
Dotts	Henderson	Ontjes	Storey
Edge	Himebauch	Parsons	Venard
Edson	Hollis	Potts	Vincent
Fackler	King	Ramsey	Mr. Speaker—49
Gallagher	Lake	Rankin	
	Letts	Rassler	

The nays were:

Blume	Dewar	Noble	Smith of
Buffington	Gibson	Orr	Lucas—9
Colbert	Graham		

Absent or not voting:

Aiken	Gilbert	Miller	Scott of Fremont
Blake	Gilbertson	Moen	Smith of
Brady	Hansen	Napier	Chickasaw
Brittain	Harrison	Natvig	Stock
Carter	Hauge	Patterson	Stookesberry
Clark	Held	Peterson	Strippel
Cole	Huff	Powers	Ustad
Dooley	Johnson	Quirk	Wamstad
Doolittle	Knutson	Rumley	Weber
Elliott	Leonard	Rust	Williams
Forsling	Lieberknecht	Saunders	Wilson
Frahm	Lovrien	Scott of	Wolfe
Garber of Floyd	Matthiesen	Appanoose	Yenter—50

The motion to reconsider, having failed to receive a constitutional majority, was declared lost.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

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

Senate Concurrent Resolution No. 22, relating to adjournment of the extra session of the Fortieth General Assembly.

LEON W. AINSWORTH, *Secretary of the Senate.*

## SENATE CONCURRENT RESOLUTION NO. 22

*Be It Resolved by the Senate, the House concurring:* That this extra session of the Fortieth General Assembly adjourn sine die at 9:00 o'clock a. m., July 30, 1924.

By unanimous consent the resolution was taken up for immediate consideration.

Unanimous consent having been obtained to suspend the rules, Rankin of Lee moved that the House concur in the Senate concurrent resolution.

On the question "Shall the House concur?"

The ayes were:

Anderson of	Gallagher	Lichty	Rankin
Webster	Garber of Adair	Long	Rassler
Berry	Gesman	McClune	Rewoldt
Blume	Gibson	Mathews	Robson
Bradley	Graham	Miller	Sampson
Children	Grimwood	Noble	Schirmer
Colbert	Hansen	O'Donnell	Schulte
Criswell	Hattendorf	Oliver	Slemmons
Dewar	Healy	Olson	Smith of Lucas
Diltz	Hempel	Ontjes	Storey
Donhowe	Henderson	Orr	Venard
Dotts	Hollis	Parsons	Vincent
Edge	King	Quirk	Wamstad
Edson	Lake	Ramsey	Mr. Speaker—57
Fackler	Letts		

The nays were, none.

Absent or not voting:

Aiken	Gilbert	Moen	Scott of Fremont
Blake	Gilbertson	Napler	Smith of
Brady	Gilmore	Natvig	Chickasaw
Brittain	Harrison	Patterson	Stock
Buffington	Hauge	Peterson	Stookesberry
Carter	Held	Potts	Strippel
Clark	Himebauch	Powers	Ulstad
Cole	Huff	Rhinehart	Weber
Dooley	Johnson	Rumley	Williams
Doolittle	Knutson	Rust	Wilson
Elliott	Leonard	Saunders	Wolfe
Forsling	Lieberknecht	Scott of	Yenter—51
Frahm	Lovrien	Appanoose	
Garber of Floyd	Matthiesen		

The House concurred in Senate concurrent resolution.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that he had approved the following bills July 28, 1924: House Files Nos. 340 and 341. July 29, 1924, House Joint Resolution No. 11.

Henderson of Hamilton moved that a committee of three be appointed to notify the Senate that the House was ready to adjourn.

Motion prevailed and the Speaker appointed as such committee: Henderson of Hamilton, Schulte of Worth and Rewoldt of Bremer.

Parsons of Calhoun moved that a committee of three be appointed to notify the governor that the House was ready to adjourn.

Motion prevailed and the Speaker appointed as such committee: Parsons of Calhoun, Healy of Hancock and Hattendorf of Osceola.

Henderson of Hamilton, from the committee appointed to notify the Senate that the House was ready to adjourn, reported that the duty had been performed.

The report was accepted and the committee discharged.

Parsons of Calhoun, from the committee appointed to notify the governor that the House was ready to adjourn, reported that the duty had been performed.

The report was accepted and the committee discharged.

A committee from the Senate here appeared and notified the House that the Senate was ready to adjourn.

The hour of 9 o'clock a. m. having arrived, Speaker Anderson declared the House of Representatives of the Fortieth General Assembly in extraordinary session adjourned sine die.

## HISTORY OF HOUSE BILLS IN HOUSE

(NOTE: Code revision bills, introduced in both houses in identical form, were numbered 1 to 283, inclusive, and 60a, with certain numbers omitted because bills so numbered were disposed of in one way and another at the regular session of the 40th G. A. The numbers thus omitted are 1, 5, 11, 12, 13, 16, 36, 37, 38, 48, 49, 56, 59, 60, 62, 63, 64, 67, 70, 73, 76, 79, 80, 81, 83, 95, 96, 103, 106, 113, 120, 124, 131, 132, 136, 137, 141, 143, 146, 147, 150, 152, 157, 159, 161, 162, 181, 184, 199, 204, 206, 209, 214, 216, 217, 219, 222, 223, 224, 225, 226, 232, 233, 235, 238, 240, 242, 243, 244, 248, 249, 255, 259. None of these numbers appear in the following pages.)

### HOUSE FILES PASSED AND APPROVED

2, 4, 8, 10, 14, 18, 20, 24, 26, 28, 30, 32, 34, 40, 42, 44, 46, 50, 52, 54, 54-A, 57, 58, 61, 65, 66, 68, 68-A, 69, 71, 72, 74, 77, 78, 82, 84, 86, 87, 88-A, 90, 92, 94, 100, 102, 104, 108, 110, 114, 116, 122, 126, 128, 130, 134, 138, 140, 142, 144, 148, 154, 156, 158, 160, 164, 166, 168, 170, 172, 174, 176, 178, 180, 185, 188, 190, 192, 194, 196, 198, 200, 202, 208, 212, 213, 218, 220, 221, 228, 230, 234, 236, 246, 250, 252, 254, 256, 258, 260, 261, 261-A, 262, 264, 266, 268, 270, 272, 274, 276, 277, 278, 280, 282, 284, 286, 287, 288, 289, 292, 293, 294, 296, 297, 299, 300, 301, 305, 306, 307, 308, 310, 311, 312, 314, 315, 316, 319, 320, 322, 323, 324, 325, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341. H. J. R. 1, 2, 3, 6, 7, 8, 9, 10, 11.

### RECORD OF JOINT RESOLUTIONS

H. J. R.	Page	H. J. R.	Page
<p>1 By Committee on Retrenchment and Reform. Compensation of employes of special session 40th G. A.</p> <p>Introduced ..... 79</p> <p>Amendment filed ..... 90</p> <p>Amended, passed; ayes 89, nays 0 ..... 103</p> <p>Received back ..... 118</p> <p>Reported enrolled ..... 156</p> <p>Signed by Speaker ..... 162</p> <p>Sent to Governor ..... 162</p> <p>Signed by Governor ..... 186</p> <p>2 By Committee on Retrenchment and Reform. Compensation of additional employes of special session 40th G. A.</p> <p>Introduced ..... 80</p> <p>Amendments filed ..... 105</p> <p>Amended, passed; ayes 99, nays 0 ..... 110</p> <p>Received back ..... 146</p> <p>Reported enrolled ..... 167</p> <p>Signed by Speaker ..... 167</p> <p>Sent to Governor ..... 172</p> <p>Signed by Governor ..... 186</p> <p>3 By Clarke. For publication of House Joint Resolution No. 2.</p> <p>Introduced ..... 189</p> <p>Passed; ayes 79, nays 0 ..... 189</p> <p>Received back ..... 207</p> <p>Reported enrolled ..... 223</p> <p>Signed by Speaker ..... 223</p> <p>Sent to Governor ..... 223</p> <p>Signed by Governor ..... 249</p>		<p>4 By Committee on Board of Control. Authorizing the board of control to enter into contracts for employment of prisoners.</p> <p>Introduced ..... 1324</p> <p>Passed; ayes 74, nays 0 ..... 1339</p> <p>5 By Long. An amendment to state constitution prohibiting the legislature from granting any annuity, bonus or pension.</p> <p>Introduced, referred ..... 1360</p> <p>Recommends indefinite postponement ..... 1461</p> <p>Indefinitely postponed ..... 1474</p> <p>6 By Children. An amendment to state constitution relating to apportionment into senatorial districts.</p> <p>Introduced, referred ..... 1399</p> <p>Recommends passage ..... 1461</p> <p>Passed; ayes 61, nays 27 ..... 1472</p> <p>Received back ..... 1643</p> <p>Concurred ..... 1644</p> <p>Reported enrolled ..... 1683</p> <p>Signed by Speaker ..... 1685</p> <p>Sent to Governor ..... 1692</p> <p>Signed by Governor ..... 1711</p> <p>7 By Venard. Providing for publication of H. F. 100 and H. F. 110.</p> <p>Introduced ..... 1476</p>	

H. J. R.	Page	H. J. R.	Page
Passed; ayes 85, nays 0	1522	stitutions to enter into contracts for employment of prisoners.	
Received back	1618	Introduced, passed; ayes 72, nays 0	1705
Concurred	1624	Received back	1709
Reported enrolled	1642	Reported enrolled	1710
Signed by Speaker	1642	Signed by Speaker	1710
Sent to Governor	1642	Sent to Governor	1711
Signed by Governor	1658		
8 By Committee on Judiciary. Certification of teachers, approval of certain schools for state aid and approval of certain schools for tuition.		10 By Carter. Additional employes.	
Introduced	1671	Introduced	1715
Amended, passed; ayes 60, nays 37	1685-1691	Passed; ayes 56, nays 0	1716
Received back	1707	Signed by Governor	1779
Reported enrolled	1710		
Signed by Speaker	1710	11 By Doolittle. Mileage for officers of assembly.	
Sent to Governor	1711	Introduced	1772
9 By Hauge. Authorizing board of control of state in-		Passed; ayes 62, nays 0	1773
		Signed by Speaker	1777
		Signed by Governor	1779

## RECORD OF EACH BILL

H. F.	Page	H. F.	Page
2 By Committee on Code Revision. Acquisition of lands of this state by U. S.		Amendments adopted	314
Introduced, referred	16	Passed; ayes 87, nays 0	314
Committee recommends passage	123	Received back	1321
Passed; ayes 94, nays 1	131	Refused to concur	1401-1402
Received back	864	Reported correctly enrolled	1538
House concurs	876	Signed by Speaker	1538
Reported enrolled	938	Sent to Governor	1580
Signed by Speaker	938	Signed by Governor	1587
Sent to Governor	947		
Signed by Governor	965	9 By Committee on Code Revision. Appropriations, drawing and expenditure thereof, and certain powers and duties of treasurer of state, and the security of public funds.	
3 By Committee on Code Revision. To provide for a committee on bills.		Introduced, referred	17
Introduced, referred	16		
Recommends indefinite postponement	1013	10 By Committee on Code Revision. Department of justice and attorney general.	
Indefinitely postponed	1013	Introduced, referred	17
4 By Committee on Code Revision. Copies of laws taking effect by publication.		Recommends passage	74
Introduced, referred	16	Passed; ayes 91, nays 0	83
Committee recommends passage	320	Received back	118
Passed; ayes 91, nays 0	348	Returned to Senate	139
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Reported enrolled	636	Amendment filed	172
Signed by Speaker	647	Amendment passed	179
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Signed by Governor	682	Motion to reconsider	198
		Amendment filed	397
		Reconsidered	452
		Senate amendments amended and concurred in	453
6 By Committee on Code Revision. Sale and distribution of codes and sessions laws.		Received back	486
Introduced, referred	16	Concurred in Senate amendment	508
Withdrawn	1291	Reported enrolled	558
		Signed by Speaker	564
7 By Committee on Code Revision. Duties of Governor.		Sent to Governor	565
Introduced, referred	16	Signed by Governor	588
8 By Committee on Code Revision. Certain duties of auditor of state and uniform system of accounts of public corporations, and examination of same.		14 By Committee on Code Revision. Executive Council—powers, duties and employes thereof.	
Introduced, referred	17	Introduced	17
Recommends amendment and passage	272	Committee recommends amendments and passage	403
		Referred	434
		Committee recommends amendments and passage	992

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Amendments filed .....	1010
Amendments filed .....	1082
Made special order .....	1599
Amendments filed .....	1626
Committee amendments adopted.	1637
Amended, passed; ayes 90, nays 0.	1641
Received back .....	1658
Concurs .....	1666
Reported enrolled .....	1704
Signed by Speaker .....	1704
Sent to Governor .....	1707
Signed by Governor .....	1711
15 By Committee on Code Revision. Filing and auditing of claims against state.	
Introduced, referred .....	18
17 By Committee on Code Revision. Duties of certain state officers.	
Introduced, referred .....	18
18 By Committee on Code Revision. Reports of public officers.	
Introduced, referred .....	18
Withdrawn from committee, referred to special budget committee .....	536
Recommends amendments and passage .....	993
Passed; ayes 68, Nays 3.....	1667
Received back .....	1672
Reported enrolled .....	1710
Signed by Speaker .....	1710
Sent to Governor .....	1711
Signed by Governor .....	1711
19 By Committee on Code Revision. Memorial halls and monuments for soldiers, sailors and marines.	
Introduced, referred .....	18
20 By Committee on Code Revision. Time of holding election and term of office.	
Introduced, referred .....	18
Recommends amendment and passage .....	378
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Minority report substituted. .	457-458
Passed; ayes 68, nays 17.....	458
Received back .....	752
Concurred .....	780
Reported enrolled .....	893
Signed by Speaker .....	894
Sent to Governor .....	899
Signed by Governor .....	933
21 By Committee on Code Revision. Nominations by primary elections.	
Introduced, referred to elections	19
22 By Committee on Code Revision. Nominations by caucus, conventions, or petitions.	
Introduced, referred .....	19
Recommends passage .....	241
Passed; ayes 93, nays 6.....	293
Received back in House.....	578
23 By Committee on Code Revision. Nomination and election of judges of supreme, district and superior courts.	
Introduced, referred .....	19

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24 By Committee on Code Revision. Registration of voters.	
Introduced, referred .....	19
Committee recommends .....	812
Amended, passed; ayes 91, nays 0	336
Received back .....	407
Reported enrolled .....	462
Signed by Speaker .....	462
Sent to Governor.....	472
Signed by Governor.....	508
25 By Committee on Code Revision. Method of conducting elections.	
Introduced, referred .....	19
26 By Committee on Code Revision. Canvass of votes at elections.	
Introduced, referred .....	19
Recommends passage .....	377
Amended, passed; ayes 91, nays 0	435
Received back .....	615
Concurred .....	673
Reported enrolled .....	807
Signed by Speaker.....	808
Sent to Governor.....	808
Signed by Governor.....	862
27 By Committee on Code Revision. Right of a voter to vote when disabled, when absent from polls, or when in services of government of U. S. or of this state.	
Introduced, referred .....	20
28 By Committee on Code Revision. Election of presidential electors.	
Introduced, referred .....	20
Recommends passage .....	234
Passed; ayes 95, nays 1.....	256
Received back .....	419
Concurred .....	424
Reported enrolled .....	481
Signed by Speaker.....	481
Sent to Governor.....	486
Signed by Governor.....	508
29 By Committee on Code Revision. Making statements of expense by candidates for office.	
Introduced, referred .....	20
30 By Committee on Code Revision. Contesting elections of state officers.	
Introduced, referred .....	20
Recommends passage .....	683
Passed; ayes 90, nays 0.....	756
Received back .....	846
Reported enrolled .....	924
Signed by Speaker.....	924
Sent to Governor.....	926
Signed by Governor.....	936
31 By Committee on Code Revision. Time and manner of qualifying of elected and appointed officers.	
Introduced, referred .....	20
32 By Committee on Code Revision. Bonds of public officers.	
Introduced, referred .....	21
Committee recommends passage	312

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Amended, passed; ayes 89, nays 0	337
Received back	517
Concurred	548
Reported enrolled	587
Signed by Speaker	587
Sent to Governor	587
Signed by Governor	599
33 By Committee on Code Revision. Release of sureties on bonds of public officers.	
Introduced, referred	21
34 By Committee on Code Revision. Removal from office.	
Introduced, referred	21
Recommends passage	234
Amendments filed	260
Amended, passed; ayes 90, nays 6	269
Received back	1217
Refused to concur	1247
Conference committee fail to agree	1517
Second conference committee report	1552
Conference committee's report adopted	1553
Supplementary report of conference committee adopted	1630
Reported enrolled	1683
Signed by Speaker	1685
Sent to Governor	1692
Signed by Governor	1711
35 By Committee on Code Revision. Vacancies in office.	
Introduced, referred	21
39 By Committee on Code Revision. Administration of oaths.	
Introduced, referred	21
Recommends amendment and passage	101
S. F. 39 substituted	143
40 By Committee on Code Revision. Deposit of public funds, salaries, fees, expenses and expenditures of officers and publication of legal notices.	
Introduced, referred	22
Recommends, amendments and passage	288
Amendments filed	324
Amendments adopted	334
Passed; ayes 90, nays 1	334
Received back	646
Concurred	709
Reported enrolled	807
Signed by Speaker	808
Sent to Governor	808
Signed by Governor	862
41 By Committee on Code Revision. Coal mines, gypsum mines and mining.	
Introduced, referred	22
42 By Committee on Code Revision. Employers' liability and workmen's compensation.	
Introduced, referred	22
Recommends amendment and passage	868
Amendment adopted	982
Made special order	985
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Amendments adopted	1027
Amendments filed	1030
Amended, made special order	1032
Action deferred	1078
Substitute bill introduced	1100
Substitute bill passed; ayes 103, nays 0	1104
Received back	1180
Reported enrolled	1318
Signed by Speaker	1318
Sent to Governor	1327
Signed by Governor	1331
43 By Committee on Code Revision. Health and safety appliances and industrial accidents.	
Introduced, referred	22
44 By Committee on Code Revision. Child labor.	
Introduced, referred	22
Recommends passage	622
Passed; ayes 78, nays 0	674
Received back	761
Reported enrolled	827
Signed by Speaker	827
Sent to Governor	827
Signed by Governor	848
45 By Committee on Code Revision. Fire escapes and means of escape from fire.	
Introduced, referred	23
46 By Committee on Code Revision. Bureau of labor and labor commissioner, his deputies and inspectors.	
Introduced, referred	23
Recommends amendments and passage	447
Amendments adopted	487
Amended, passed; ayes 89, nays 0	488
Received back	761
Reported enrolled	827
Signed by Speaker	827
Sent to Governor	827
House requested return	848
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Received back	925
Concurred	952
Reported enrolled	1035
Signed by Speaker	1038
Sent to Governor	1041
Signed by Governor	1057
47 By Committee on Code Revision. State free employment bureau.	
Introduced, referred	23
50 By Committee on Code Revision. Suspension of state officers.	
Introduced, referred	23
Recommends amendment and passage	687
Amendments adopted	760
Passed; ayes 87, nays 1	761
Received back	846
Reported enrolled	924
Signed by Speaker	924
Sent to Governor	926
Signed by Governor	936
51 By Committee on Code Revision. Intoxicating liquors.	
Introduced, referred	23

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52 By Committee on Code Revision. Houses of prostitution.		Concurred .....	224
Introduced, referred .....	24	Reported enrolled .....	242
Recommends passage .....	262	Signed by Speaker .....	242
Passed; ayes 96, nays 0 .....	298	Sent to Governor .....	249
Received back .....	374	Signed by Governor .....	259
Reported enrolled .....	418	60-A By Committee on Code Revision. Board of accountancy.	
Signed by Speaker .....	418	Introduced, referred .....	25
Sent to Governor .....	438	Recommends indefinite postponement .....	404
Signed by Governor .....	482	Indefinitely postponed .....	407
53 By Committee on Code Revision. State fire marshal, prevention and investigation of fires.		61 By Committee on Code Revision. Gold and silver alloys.	
Introduced, referred .....	24	Introduced, referred .....	25
54 By Committee on Code Revision. Propagation and protection of fish, game, wild birds and animals.		Recommends passage .....	65
Introduced, referred .....	24	Passed; ayes 75, nays 0 .....	69
Recommends substitute .....	423	Received back .....	118
Amendments filed .....	477	Reported enrolled .....	156
Made special order .....	486	Signed by Speaker .....	162
Amendment filed .....	490	Sent to Governor .....	162
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Amendments filed .....	554	Introduced, referred .....	25
Amendments filed .....	597	Recommends amendment and passage .....	252
Amendments filed .....	617	Referred to appropriations .....	253
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Amendments adopted .....	639 to 643, 649 to 654	Amendment filed .....	728
Passed; ayes 62, nays 37 .....	655	Amendments adopted .....	758
Received back .....	1003	Amended, passed; ayes 95, nays 0 .....	759
Refused to concur .....	1017	Received back .....	1081
Conference committee report .....	1159	Amended and concurred .....	1096-1098
Report and amendment adopted .....	1162	Conference committee report .....	1439
Reported enrolled .....	1324	Conference report adopted .....	1443
Signed by Speaker .....	1324	Supplementary report adopted .....	1528
Sent to Governor .....	1327	Reported enrolled .....	1683
Signed by Governor .....	1331	Signed by Speaker .....	1685
54-A By Knutson. Fish and game.		Sent to Governor .....	1692
Introduced, passed; ayes, 87, nays 0 .....	1419	Signed by Governor .....	1711
Received back .....	1462	66 By Committee on Code Revision. State fair and agricultural organizations receiving state aid.	
Reported enrolled .....	1492	Introduced, referred .....	26
Signed by Speaker .....	1492	Recommends amendments and passage .....	321
Sent to Governor .....	1492	Amendment filed .....	351
Signed by Governor .....	1546	Made special order .....	371
55 By Committee on Code Revision. State board of conservation and state parks.		Amendment filed .....	383
Introduced, referred .....	24	Amendment filed .....	460
57 By Committee on Code Revision. Lost property.		Amendments adopted .....	464
Introduced, referred .....	25	Amended .....	470
Recommends amendment and passage .....	123	Amended, passed; ayes 91, nays 6 .....	472
Amendments adopted .....	130	Received back .....	911
Passed; ayes 85, nays 6 .....	130	Concurred in part, 1 amended and refused in part .....	957-961
Received back .....	1164	Conference committee report .....	1311
Reported enrolled .....	1293	Report adopted .....	1320
Signed by Speaker .....	1298	Reported enrolled .....	1683
Sent to Governor .....	1298	Signed by Speaker .....	1685
Signed by Governor .....	1316	Sent to Governor .....	1692
58 By Committee on Code Revision. Professional engineering and land surveying.		Signed by Governor .....	1711
Introduced, referred .....	25	68 By Committee on Code Revision. Animal industry.	
Recommends passage .....	87	Introduced, referred .....	26
Passed; ayes 97, nays 0 .....	96	Recommends amendment and passage .....	408
Received back .....	193	Made special order .....	461
		Amendment filed .....	490
		Amendments filed .....	505

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Made special order .....	545
Amendments filed .....	567
Amendments adopted .....	576
Amended, passed; ayes 74, nays 7 .....	576
Received back .....	1498
Concurred .....	1508-1510
Returned to House .....	1583
Reported enrolled .....	1682
Signed by Speaker .....	1685
Sent to Governor .....	1692
Signed by Governor .....	1711
68-A By Committee on Animal Industry. Eradication of bovine tuberculosis.	
Introduced .....	557
Amended, passed; ayes 78, nays 4 .....	574
Received back .....	847
Concurred .....	855
Reported enrolled .....	938
Signed by Speaker .....	938
Sent to Governor .....	947
Signed by Governor .....	965
69 By Committee on Code Revision. Hotels, restaurants, food establishments and cold storage plants.	
Introduced, referred .....	27
Recommends amendment and passage .....	687
Amendment filed .....	762
Amendment adopted .....	790
Amended, passed; ayes 88, nays 1 .....	791
Received back .....	1003
Certain Senate amendments amended and concurred in, others concurred in, remainder refused to concur in .....	1063-1066
Conference committee report .....	1366
Reported enrolled .....	1492
Signed by Speaker .....	1492
Sent to Governor .....	1492
Signed by Governor .....	1546
71 By Committee on Code Revision. Estrays and trespassing animals, licensing of dogs, and payments of claims for damages done by dogs and wolves.	
Introduced, referred .....	27
Recommends amendment and passage .....	125
Amendment filed .....	139
Amendment filed .....	154
Amendment filed .....	164
Amendments filed .....	259
Rereferred .....	302
Recommends amendment and passage .....	449
Made special order .....	486
Amendments filed .....	506
Amendments adopted .....	560
Amended, passed; ayes 98, nays 0 .....	561
Received back .....	792
Refused to concur .....	799
Conference committee report .....	923
Conference report adopted .....	950
Reported enrolled .....	1047
Signed by Speaker .....	1054
Sent to Governor .....	1055
Signed by Governor .....	1081
72 By Committee on Code Revision. Testimony of witnesses in cases of contested elections.	
Introduced, referred .....	27

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Recommends passage .....	809
Passed; ayes 95, nays 0 .....	836
Received back .....	1044
Reported enrolled .....	1083
Signed by Speaker .....	1095
Sent to Governor .....	1098
Signed by Governor .....	1123
74 By Committee on Code Revision. Limited partnership.	
Introduced, referred .....	27
Recommends amendment and passage .....	175
Amendments adopted .....	226
Action deferred .....	226
Amended, passed; ayes 102, nays 0 .....	235
Received back .....	302
Reported enrolled .....	367
Signed by Speaker .....	367
Sent to Governor .....	383
Signed by Governor .....	399
75 By Committee on Code Revision. Chattel mortgages, real estate mortgages creating liens on personal property and conditional sale of personal property.	
Introduced, referred .....	28
Recommends amendment and passage .....	87
77 By Committee on Code Revision. Conveyances.	
Introduced, referred .....	28
Recommends amendment and passage .....	1013
Amendments adopted .....	1039
Passed; ayes 90, nays 0 .....	1039
Received back .....	1164
Concurred .....	1173
Reported enrolled .....	1293
Signed by Speaker .....	1298
Sent to Governor .....	1298
Signed by Governor .....	1316
78 By Committee on Code Revision. Occupying claimants.	
Introduced, referred .....	28
Recommends .....	122
Amended, passed; ayes 88, nays 0 .....	144
Received back .....	679
Reported enrolled .....	717
Signed by Speaker .....	728
Sent to Governor .....	728
Signed by Governor .....	797
82 By Committee on Code Revision. Trustees to manage cemetery funds.	
Introduced, referred .....	28
Recommends passage .....	65
Amendment filed .....	106
Amended, passed; ayes 94, nays 0 .....	117
Received back .....	1003
Concurred .....	1023
Reported enrolled .....	1083
Signed by Speaker .....	1095
Sent to Governor .....	1098
Signed by Governor .....	1123
84 By Committee on Code Revision. Charitable, correctional and penal institutions and the juvenile court.	
Introduced, referred .....	28
Recommends amendment and passage .....	1111
Amendment filed .....	1146
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Amendments filed	1269
Amendments filed	1291-1292
Amendments adopted	1295-1302
Amendments filed	1302-1303
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Received back	1414
Refused to concur	1420-1421
Conference committee reported to House	1673
Conference report rejected	1680
Second conference committee report	1692-1693
Conference report and supplementary report adopted	1695
Reported enrolled	1710
Signed by Speaker	1710
Sent to Governor	1711
Signed by Governor	
85 By Committee on Code Revision. Education—Instruction in patriotism.	
Introduced, referred	28
86 By Committee on Code Revision. Education—superintendent of public instruction.	
Introduced, referred	29
Recommends amendment and passage	326
Amendment offered	371
Amendments adopted	372
Amended, passed; ayes 90, nays 1	373
Received back	517
Concurred	539
Reported enrolled	587
Signed by Speaker	587
Sent to Governor	587
Signed by Governor	599
87 By Committee on Code Revision. Educational—vocational.	
Introduced, referred	29
Recommends amendment and passage	242
Amendments adopted	1040
Passed; ayes 89, nays 4	1040
Received back	1120
Reported enrolled	1209
Signed by Speaker	1209
Sent to Governor	1209
Signed by Governor	1259
88 By Committee on Code Revision. Education—board of examiners.	
Introduced, referred	29
88-A By Committee on Schools and Textbooks. Relating to education.	
Introduced	1101
Passed; ayes 75, nays 1	1152
Received back	1362
Concurred	1365
Reported enrolled	1404
Signed by Speaker	1404
Sent to Governor	1404
Signed by Governor	1425
89 By Committee on Code Revision. Education—normal training high schools.	
Introduced, referred	30

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90 By Committee on Code Revision. Education—state board of education.	
Introduced, referred	30
Recommends amendment and passage	273
Amendments adopted	306
Amended	306
Amendments filed	310
Action deferred; made special order	311
Action deferred; made special order	347
Amendments filed	351
Action deferred; made special order	438
Amendments filed	443
Amendments filed	459
Action deferred; made special order	467
Amended, passed; ayes 74, nays 11	529
Received back	1395
Amendment filed	1466
Made special order	1615
Amendment rejected	1625
Concurred	1626
Reported enrolled	1598
Signed by Speaker	1599
Sent to Governor	1599
Signed by Governor	1618
91 By Committee on Code Revision. Educational—state university and work of bacteriological laboratory.	
Introduced, referred	30
Recommends amendment and passage	447
92 By Committee on Code Revision. Education—medical and surgical treatment of indigent persons.	
Introduced, referred	30
Recommends amendment and passage	142
Rereferred	
Recommends amendment and passage	304
Amendments filed	339
Amendments rejected	346
Amendments adopted	346
Passed; ayes 92, nays 1	347
Received back	578
Reported enrolled	636
Signed by Speaker	647
Sent to Governor	648
Signed by Governor	682
93 By Committee on Code Revision. Education—Iowa state college of agriculture and mechanic arts.	
Introduced, referred	31
Recommends amendment and passage	142
Amendment filed	728
94 By Committee on Code Revision. Education—Iowa state teachers college.	
Introduced, referred	31
Recommends passage	447
Passed; ayes 77, nays 0	497
Received back	911
Reported enrolled	1017
Signed by Speaker	1019
Sent to Governor	1020
Signed by Governor	1080

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97 By Committee on Code Revision. Education—Iowa soldiers' orphans' home.		Reported enrolled	406
Introduced, referred	31	Signed by Speaker	407
Amendment filed	1246	Sent to Governor	419
Withdrawn	1312	Signed by Governor	461
98 By Committee on Code Revision. Education—juvenile court.		105 By Committee on Code Revision. Education—school libraries.	
Introduced, referred	31	Introduced, referred	33
Amendment filed	1246	107 By Committee on Code Revision. Education—teachers.	
Withdrawn	1312	Introduced, referred	33
99 By Committee on Code Revision. Educational—county superintendents.		108 By Committee on Code Revision. Education—indebtedness of school districts.	
Introduced, referred	31	Introduced, referred	33
100 By Committee on Code Revision. Education—school districts.		Recommends passage	327
Introduced, referred	32	Passed; ayes 84, nays 1	375
Recommends amendment and passage	216	Received back	486
Amendments offered	236	Reported enrolled	546
Action deferred	237	Signed by Speaker	546
Amendment filed	289	Sent to Governor	553
Amended, made special order	255	Signed by Governor	656
Amendment filed	270	109 By Committee on Code Revision. Educational—school buildings and sites.	
Amendment filed	288	Introduced, referred	33
Amendments adopted	307	110 By Committee on Code Revision. Education—school funds and bonds.	
Amended, passed; ayes 73, nays 20	307-310	Introduced, referred	34
Received back	1121	Recommends amendment and passage	387
Concurred in part	1156	Amendment filed	519
Action deferred	1156	Made special order	537
Concurred	1173-1175	Amendment filed	588
Reported enrolled	1297	Amendment adopted	611
Signed by Speaker	1297	Amended, passed; ayes 82, nays 11	614
Sent to Governor	1298	Received back	1045
Signed by Governor	1316	Refused to concur	1057 1060
101 By Committee on Code Revision. Education—school meetings—directors, powers and duties.		Conference report	1329
Introduced, referred	32	Report and amendments adopted	1333
102 By Committee on Code Revision. Education—evening schools.		Reported enrolled	1404
Introduced, referred	32	Signed by Speaker	1404
Recommends amendment and passage	215	Sent to Governor	1404
Amendments filed	226	Signed by Governor	1425
Amendment adopted	237	111 By Committee on Code Revision. Education—compulsory.	
Action deferred	237	Introduced, referred	34
Amendments adopted	225	112 By Committee on Code Revision. Education—textbooks.	
Action deferred	256	Introduced, referred	34
Amended, passed; ayes 67, nays 29	265	Recommends indefinite postponement	242
Received back	366	Indefinitely postponed	255
Refuse to concur	367	114 By Committee on Code Revision. Education—state library—historical department.	
Conference report	596	Introduced, referred	34
Conference report adopted	605	Recommends amendment and passage	580
Reported enrolled	717	Amendment filed	597
Signed by Speaker	728	Amendment filed	635
Sent to Governor	728	Committee amendment rejected	666
Signed by Governor	797	Amended, rereferred	667
104 By Committee on Code Revision. Education—special meetings—report of county superintendent.		Recommends amendment and passage	1084
Introduced, referred	33	Amendments filed	1105-1106
Recommends passage	217	Substitute amendment filed	1183
Passed; ayes 95, nays 0	237	Rereferred	1183
Received back	331	Recommends amendment and passage	1186
Concurred	342	Amendments adopted	1203

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Amended, action deferred.....	1204
Amended, passed; ayes 72, nays 5	1207
Received back .....	1519
Reported enrolled .....	1586
Signed by Speaker .....	1586
Sent to Governor.....	1587
Signed by Governor.....	1618

115 By Committee on Code Revision. Education — state historical society.	
Introduced, referred .....	34
Recommends passage .....	1180
Amendments filed .....	1200
Withdrawn .....	1345

116 By Committee on Code Revision. Education — Iowa geological survey.	
Introduced, referred .....	35
Recommends amendment and passage .....	389
Amendments filed .....	430
Amendments adopted .....	436
Amended, passed; ayes 90, nays 1	436
Received back .....	615
Refused to concur.....	623
Reported enrolled .....	717
Signed by Speaker.....	728
Sent to Governor.....	728
Signed by Governor.....	797

117 By Committee on Code Revision. Establishment and alteration of highways and erection and maintenance of bridges.	
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Made special order.....	848
Amendments filed.....	849
Amendments filed.....	885
Amendments filed.....	897
Amendments filed.....	912
Amended.....	928
Amended, passed; ayes 81, nays 0	932
Received back.....	1261
Amended and concurred.....	1380
Received back.....	1497
Reported enrolled.....	1653
Signed by Speaker.....	1653
Sent to Governor.....	1653
Signed by Governor.....	1701
 261 By Committee on Code Revision. Regulations and inspection of foods, drugs and other articles.	
Introduced, referred.....	59
Recommends amendment and passage.....	887
Chapters 9 and 10 referred.....	888
Placed on calendar.....	891
Amendments filed.....	913
Made special order.....	930
Amendment filed.....	963
Amendments adopted.....	966
Amended, passed; ayes 83, nays 6	967
Received back.....	1535
Concurred in part.....	1549
Conference report.....	1653
Conference report concurred.....	1654
Reported enrolled.....	1710
Signed by Speaker.....	1710
Sent to Governor.....	1711
Signed by Governor.....	1711

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261-A By Committee on Pharmacy. Drugs, poisons, narcotics and abortifacients.	
Introduced.....	910
Made special order.....	936
Amendment filed.....	963
Amended, passed; ayes 89, nays 2	969
Received back.....	1164
Concurred.....	1182
Reported enrolled.....	1297
Signed by Speaker.....	1298
Sent to Governor.....	1298
Signed by Governor.....	1316
 262 By Committee on Code Revision. Practice of medicine, surgery, podiatry, osteopathy, chiropractic, nursing, dentistry, optometry, pharmacy and embalming.	
Introduced, referred.....	60
Recommends amendment and passage.....	1049
Amendments filed.....	1067
Amendments adopted.....	1085
Amended, passed; ayes 93, nays 0	1094
Received back.....	1385
Refused to concur.....	1451
Conference report.....	1635
Report adopted.....	1651
Reported enrolled.....	1710
Signed by Speaker.....	1710
Sent to Governor.....	1711
Signed by Governor.....	1711
 263 By Committee on Code Revision. State printing board and public reports of various public offices.	
Introduced, referred.....	61
 264 By Committee on Code Revision. Compensation of county attorneys.	
Introduced, referred.....	61
Recommends passage.....	274
Amended, passed; ayes 82, nays 2	315
Received back.....	578
Concurred.....	593
Reported enrolled.....	630
Signed by Speaker.....	647
Sent to Governor.....	648
Signed by Governor.....	682
 265 By Committee on Code Revision. Rights of railroads to remove passenger for certain offenses.	
Introduced, referred.....	61
 266 By Committee on Code Revision. Jurors.	
Introduced, referred.....	61
Recommends passage.....	600
Made special order.....	682
Amendments filed.....	733
Made special order.....	746
Amendment.....	762
Amendments filed.....	795
Action deferred.....	825
Amendment filed.....	828
Amendments filed.....	850
Amended, passed; ayes 83, nays 13	860
Received back.....	1121
Concurred.....	1179
Reported enrolled.....	1293
Signed by Speaker.....	1298
Sent to Governor.....	1298
Signed by Governor.....	1315

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267 By Committee on Code Revision. Fees of clerk of district court.		276 By Committee on Code Revision. Theatres, pool and billiard rooms and bowling alleys.	
Introduced, referred.....	62	Introduced, referred.....	63
268 By Committee on Code Revision. Statute of frauds.		Recommends amendment and passage.....	166
Introduced, referred.....	62	Amendments adopted.....	196
Recommends amendment and passage.....	341	Passed; ayes 61, nays 0.....	196
Amendments adopted.....	376	Received back.....	270
Passed; ayes, 88, nays 0.....	377	Failed to concur.....	276
Received back.....	455	Report of conference.....	434
Reported enrolled.....	481	Conference amendments.....	451
Signed by Speaker.....	481	Reported enrolled.....	546
Sent to Governor.....	486	Signed by Speaker.....	546
Signed by Governor.....	508	Sent to Governor.....	553
269 By Committee on Code Revision. Statute of limitations.		Signed by Governor.....	553
Introduced, referred.....	62	277 By Committee on Code Revision. Motor vehicles—travel on highways.	
270 By Committee on Code Revision. Forfeiture of contracts to sell or to agree to sell an interest in real estate.		Introduced, referred.....	63
Introduced, referred.....	62	Recommends amendment and passage.....	1107
Recommends amendment and passage.....	239	Amendments filed.....	1148
Amendment filed.....	270	Amendments filed.....	1160
Amendments adopted.....	276	Amendments filed.....	1179
Amended, passed; ayes 96, nays 0.....	277	Made special order.....	1182
Received back.....	419	Amendments filed.....	1198, 1199
Failed to concur.....	454	Amendments filed.....	1207
Reported enrolled.....	558	Amendments adopted.....	1212
Signed by Speaker.....	564	Amended, passed; ayes 95, nays 4, 1218	
Sent to Governor.....	565	Received back.....	1438
Signed by Governor.....	583	Concurred in part.....	1444
271 By Committee on Code Revision. Abstracts of title in partition proceedings.		Conference committee report.....	1590
Introduced, referred.....	62	Report rejected.....	1597
272 By Committee on Code Revision. Corruption in elections.		Motion to reconsider.....	1599
Introduced, referred.....	62	Reconsideration prevailed.....	1622
Recommends amendment and passage.....	124	Report withdrawn.....	1623
Amendment filed.....	126	Second report.....	1638
Amendments adopted.....	145	Report adopted.....	1634
Passed; ayes 82, nays 5.....	207	Reported enrolled.....	1710
Received back.....	207	Signed by Speaker.....	1710
Reported enrolled.....	223	Sent to Governor.....	1711
Signed by Speaker.....	223	Signed by Governor.....	1711
Sent to Governor.....	223	278 By Committee on Code Revision. Escapes.	
Signed by Governor.....	249	Introduced, referred.....	63
273 By Committee on Code Revision. Release of liens on personal property.		Recommends passage.....	157
Introduced, referred.....	63	Passed; ayes 97, nays 0.....	171
274 By Committee on Code Revision. Indictments, trial information, and demurrers thereto.		Received back.....	327
Introduced, referred.....	63	Reported enrolled.....	389
Recommends passage.....	263	Signed by Speaker.....	389
Passed; ayes, 88, nays 0.....	299	Sent to Governor.....	390
Received back.....	394	Signed by Governor.....	422
Reported enrolled.....	418	279 By Committee on Code Revision. Coroner.	
Signed by Speaker.....	418	Introduced, referred.....	64
Sent to Governor.....	438	Recommends passage.....	150
Signed by Governor.....	482	S. F. 279 substituted.....	225
275 By Committee on Code Revision. Sale of public bonds.		280 By Committee on Code Revision. Garnishment.	
Introduced, referred.....	63	Introduced, referred.....	64
		Recommends passage.....	140
		Passed; ayes 98, nays 3.....	157
		Received back.....	327
		Reported enrolled.....	389
		Signed by Speaker.....	389
		Sent to Governor.....	396
		Signed by Governor.....	422
		281 By Committee on Code Revision. Future estates.	
		Introduced, referred.....	64
		On calendar.....	1123
		Withdrawn.....	1599

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282 By Committee on Code Revision. Peremptory challenges. In trial of criminal causes.		Passed; ayes 68, nays 1	667
Introduced, referred	64	Received back	1120
Recommends amendment and passage	156	Reported enrolled	1209
Amendments adopted	185	Signed by Speaker	1209
Passed; ayes 97, nays 0	185	Sent to Governor	1210
Received back	269	Signed by Governor	1259
Reported enrolled	287	289 By Harrison. Preparation, publication, use, custody, sale and distribution of the laws, —powers and duties of reporter of the supreme court, state printing board, superintendent of printing with reference to said laws.	
Signed by Speaker	290	Introduced, referred	524
Sent to Governor	303	Recommends amendment and passage	1187
Signed by Governor	312	Amendments filed	1198
283 By Committee on Code Revision. Sale and transportation of intoxicating liquors under permits.		Amendments adopted	1280
Introduced, referred	64	Passed; ayes 76, nays 0	1291
284 By Harrison. To legalize an election held in Oakland, Iowa, and the issuance and sale of bonds.		Received back	1385
Introduced, referred	68	Concurred	1400
Proof of publication	75	Reported enrolled	1427
Recommends passage	175	Signed by Speaker	1427
Passed; ayes 90, nays 0	178	Sent to Governor	1436
Received back	192	Signed by Governor	1464
Reported enrolled	193	290 By Carter. To legalize a special election at Iowa Falls.	
Signed by Speaker	194	Introduced, referred to judiciary	524
Sent to Governor	194	Recommends passage	841
Signed by Governor	199	Withdrawn	1157
285 By Children. To legalize a school election held in Council Bluffs, and the issuance and sale of school bonds pursuant thereto.		291 By Robson. To legalize deeds of conveyance by Grand Junction.	
Introduced, referred	78	Introduced, referred	648
Withdrawn	186	Withdrawn	1101
286 By Lichty. To legalize the acts of board of directors of independent school district of Waterloo.		292 By Miller. To legalize certain taxes in Jackson township, Shelby county.	
Introduced, referred	169	Introduced, referred	694
Recommends passage	175	Recommends passage	762
Passed; ayes 89, nays 0	177	Passed; ayes 86, nays 0	818
Received back	193	Received back	925
Reported enrolled	193	Reported enrolled	1017
Signed by Speaker	194	Signed by Speaker	1019
Sent to Governor	194	Sent to Governor	1020
Signed by Governor	199	Signed by Governor	1030
287 By Parsons. To appropriate sufficient funds to pay assessments and interest of Tow Head Lake.		293 By Vincent. To legalize the transfer of funds by the city council of Forest City.	
Introduced, referred	442	Introduced, referred	694
Recommends passage	496	Committee recommends passage	762
Referred	496	Passed; ayes 77, nays 0	774
Recommends amendment and passage	887	Received back	792
Amendments	943	Reported enrolled	893
Passed; ayes 58, nays 8	943	Signed by Speaker	894
Received back	1384	Sent to Governor	899
Reported enrolled	1427	Signed by Governor	933
Signed by Speaker	1427	294 By McClune. To legalize transfer of funds by city council of Oskaloosa.	
Sent to Governor	1436	Introduced, referred	724
Signed by Governor	1464	Recommends passage	867
288 By Lake and Forsling. To legalize the issuance of certain warrants of Sioux City, and validate said warrants.		Passed; ayes 69, nays 0	941
Introduced, referred	524	Received back	1003
Committee recommends passage	580	Reported enrolled	1047
		Signed by Speaker	1054
		Sent to Governor	1055
		Signed by Governor	1081

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295 By Hauge. Creating a county board for the appointment of local budget committees.	
Introduced, referred.....	878
Committee recommends passage	993
Made special order.....	1019
Made special order.....	1032
Amendments filed.....	1098
Rereferred.....	1163
Withdrawn.....	1622
296 By Committee on Code Revision. Municipal corporations.	
Introduced, referred.....	951
Recommends amendment and passage.....	992
Amended, passed; ayes 79, nays 6	1019
Received back.....	1260
Concurred.....	1264
Reported enrolled.....	1318
Signed by Speaker.....	1318
Sent to Governor.....	1327
Signed by Governor.....	1331
297 By Napier. To legalize corporate acts and proceedings of the Farmers Savings Bank of Beaconsfield.	
Introduced, referred.....	964
Recommends passage.....	1080
Passed; ayes 91, nays 0.....	1102
Received back.....	1163
Reported enrolled.....	1252
Signed by Speaker.....	1253
Sent to Governor.....	1253
Signed by Governor.....	1259
298 By Hempel. To legalize expenditure of funds by town of Clayton.	
Introduced, referred.....	995
Recommends indefinite postponement.....	1317
Indefinitely postponed.....	1374
299 By Committee on Land Titles. Commission on land titles.	
Introduced, passed.....	1021
Passed; ayes 83, nays 0.....	1040
Received back.....	1120
Reported enrolled.....	1209
Signed by Speaker.....	1209
Sent to Governor.....	1210
Signed by Governor.....	1259
300 By Stock. To legalize certain acknowledgments and acts of notaries public.	
Introduced, referred.....	1035
Recommends passage.....	1080
Passed; ayes 88, nays 1.....	1103
Received back.....	1164
Reported enrolled.....	1252
Signed by the Speaker.....	1253
Sent to the Governor.....	1253
Signed by Governor.....	1259
301 By Committee on Public Health. Practice of chiropractic.	
Introduced, passed.....	1055
Passed; ayes 64, nays 4.....	1062
Received back.....	1157
Reported enrolled.....	1252
Signed by Speaker.....	1253

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Sent to Governor.....	1253
Signed by Governor.....	1259
302 By Gilbert. To legalize the acts and proceedings of St. Anthony Savings Bank.	
Introduced, referred.....	1055
Recommends passage.....	1133
S. F. 304 substituted.....	1166
303 By Smith. To legalize all acts and proceedings of the town of Ionia in respect to an election on January 21, 1924.	
Introduced, referred.....	1072
Withdrawn.....	1157
304 By Hollis. To legalize certain acts and resolutions of the board of supervisors of Black Hawk county.	
Introduced, referred.....	1085
Proof of publication.....	1085
Recommends passage.....	1134
S. F. 306 substituted.....	1170
305 By Committee on Motor Vehicles. Forfeiture of certificate of motor carriers and penalties for violation of the statutes.	
Introduced.....	1101
Made special order.....	1192
Amendment filed.....	1245
Amended, passed; ayes 91, nays 1	1251
Received back.....	1384
Reported enrolled.....	1427
Signed by Speaker.....	1427
Sent to Governor.....	1436
Signed by Governor.....	1464
306 By Stock. To legalize acts of Waterville school district, Allamakee county, reimbursing R. C. Robey.	
Introduced, referred.....	1150
Recommends passage.....	1537
Passed; ayes 72, nays 5.....	1541
Received back.....	1643
Concurred.....	1645
Reported enrolled.....	1683
Signed by Speaker.....	1685
Sent to Governor.....	1692
Signed by Governor.....	1711
307 By Rankin. To legalize the consolidation of the Keokuk and Hamilton Mississippi River Bridge Company with Hancock County Bridge Company.	
Introduced, referred.....	1190
Recommends amendments and passage.....	1317
Amendment adopted.....	1344
Passed; ayes 64, nays 0.....	1344
Received back.....	1384
Reported enrolled.....	1427
Signed by Speaker.....	1427
Sent to Governor.....	1436
Signed by Governor.....	1464
308 By Graham. To legalize acts and proceedings of board of supervisors of Wapello county.	
Introduced, referred.....	1190
Recommends passage.....	1317
Passed; ayes 73, nays 0.....	1335

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Received back.....	1547	Received back.....	1519
Concurred.....	1594	Reported enrolled.....	1586
Reported enrolled.....	1670	Signed by Speaker.....	1586
Signed by Speaker.....	1670	Sent to Governor.....	1587
Sent to Governor.....	1670	Signed by Governor.....	1618
Signed by Governor.....	1701		
<b>309</b> By Committee on Municipal Corporations. Cities operating under commission plan.		<b>316</b> By Storey. To legalize a school election of Indianola.	
Introduced.....	1201	Introduced.....	1370
Made special order.....	1256	Recommends amendment and passage.....	149 <sup>00</sup>
Failed to pass House.....	1294	Amendment adopted.....	1502
		Passed; ayes 79, nays 7.....	1502
<b>310</b> By Committee on municipal corporations. Government of cities or towns.		Received back.....	1542
Introduced.....	1210	Reported enrolled.....	1598
Passed; ayes 78, nays 0.....	1257	Signed by Speaker.....	1599
Received back.....	1373	Sent to Governor.....	1599
Concurred.....	1382	Signed by Governor.....	1618
Reported enrolled.....	1427		
Signed by Speaker.....	1427	<b>317</b> By Berry. To legalize a certain warrant issued by the board of supervisors of Monroe county.	
Sent to Governor.....	1436	Introduced.....	1371
Signed by Governor.....	1464	Withdrawn.....	1534
<b>311</b> By Vincent. To legalize the acts and proceedings of board of supervisors of Winnebago county.		<b>318</b> By Hauge. To legalize certain bonds by the state.	
Introduced, referred.....	1257	Introduced.....	1371
Recommends passage.....	1317	Withdrawn.....	1527
Passed; ayes 73, nays 0.....	1336		
Received back.....	1384	<b>319</b> By Edson. Persons subject to poll tax in townships.	
Reported enrolled.....	1427	Introduced, passed; ayes 92, nays 0.....	1378
Signed by Speaker.....	1427	Received back.....	1462
Sent to Governor.....	1436	Reported enrolled.....	1492
Signed by Governor.....	1464	Signed by Speaker.....	1492
		Sent to Governor.....	1492
<b>312</b> By Clark. Issuance of a patent to certain lands in Winnebago county to William E. Cox.		Signed by Governor.....	1546
Introduced, referred.....	1260		
Recommends passage.....	1317	<b>320</b> By Children. Jurisdiction in juvenile court cases in cities wherein a municipal court is established.	
Amended, passed; ayes 84, nays 0.....	1337	Introduced.....	1397
Received back.....	1384	Passed; ayes 85, nays 0.....	1432
Reported enrolled.....	1427	Received back.....	1498
Signed by Speaker.....	1427	Reported enrolled.....	1538
Sent to Governor.....	1436	Signed by Speaker.....	1538
Signed by Governor.....	1464	Sent to Governor.....	1580
		Signed by Governor.....	1587
<b>313</b> By Committee on Banks and Banking. To punish derogatory statements affecting banks or trust companies.		<b>321</b> By McClune. To legalize the establishment of county area tuberculosis eradication plan.	
Introduced.....	1260	Introduced.....	1398
Amendment filed.....	1303	Recommends passage.....	1491
Withdrawn.....	1646	Withdrawn.....	1523
<b>314</b> By Committee on Code Revision. Preparation and printing of session laws of extra session.		<b>322</b> By Committee on Appropriations. Emergency appropriations for the Iowa School of the Deaf.	
Introduced.....	1315	Introduced.....	1417
Amended, passed; ayes 83, nays 0.....	1334	Passed; ayes 79, nays 15.....	1436
Received back.....	1384	Received back.....	1527
Reported enrolled.....	1427	Reported enrolled.....	1586
Signed by Speaker.....	1427	Signed by Speaker.....	1686
Sent to Governor.....	1436	Sent to Governor.....	1587
Signed by Governor.....	1464	Signed by Governor.....	1618
<b>315</b> By Hauge. To sell certain property of the state and to buy other property.		<b>323</b> By Donhowe. To legalize the voting of bonds for the extension of waterworks system of Ames.	
Introduced.....	1320	Introduced, referred.....	1426
Recommends amendment and passage.....	1398	Recommends amendments and passage.....	1532
Amendments adopted.....	1427		
Passed; ayes 82, nays 6.....	1427		

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Amendments adopted .....	1532
Passed; ayes 60, nays 35 .....	1533
Received back .....	1546
Reported enrolled .....	1598
Signed by Speaker .....	1599
Sent to Governor .....	1618
Signed by Governor .....	1618
324 By Graham. To legalize the transfer of funds by board of supervisors of Wapello county.	
Introduced, referred .....	1442
Recommends passage .....	1531
Passed; ayes 73, nays 0 .....	1540
Received back .....	1587
Reported enrolled .....	1670
Signed by Speaker .....	1670
Sent to Governor .....	1670
Signed by Governor .....	1701
325 By Committee on Appropriations. An appropriation for the Iowa State College of Agriculture and Mechanic Arts.	
Introduced .....	1442
Passed; ayes 75, nays 4 .....	1473
Received back .....	1527
Reported enrolled .....	1586
Signed by Speaker .....	1586
Sent to Governor .....	1687
Signed by Governor .....	1618
326 By Committee on Judiciary. Rate of interest on bonds.	
Introduced .....	1497
Passed; ayes 76, nays 14 .....	1523
Received back .....	1643
Reported enrolled .....	1683
Signed by Speaker .....	1685
Sent to Governor .....	1692
Vetoed by Governor .....	
327 By Hempel. Issuance of a patent to certain lands in Clayton county.	
Introduced, referred .....	1497
Recommends passage .....	1609
Passed; ayes 62, nays 1 .....	1612
Received back .....	1647
Reported enrolled .....	1683
Signed by Speaker .....	1685
Sent to Governor .....	1692
Signed by Governor .....	1711
328 By Rankin. Amending H. F. 307, 40th G. A., extra session, relating to Keokuk and Hamilton Bridge Co.	
Introduced, passed; ayes 61, nays 0 .....	1625
Received back .....	1643
Reported enrolled .....	1683
Signed by Speaker .....	1685
Sent to Governor .....	1692
Signed by Governor .....	1711
329 By Code Supervising Committee. Insane persons.	
Introduced .....	1713
Passed; ayes 103, nays 0 .....	1733
Signed by Speaker .....	1766
Signed by Governor .....	1779
330 By Code Supervising Committee. Inspection of depots.	
Introduced .....	1713
Passed; ayes 103, nays 0 .....	1734
Signed by Speaker .....	1766
Signed by Governor .....	1779

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331 By Code Supervising Committee. Abstracts of record in supreme court.	
Introduced .....	1713
Passed; ayes 99, nays 0 .....	1735
Signed by Speaker .....	1766
Signed by Governor .....	1779
332 By Code Supervising Committee. Scale inspection fees.	
Introduced .....	1714
Passed; ayes 95, nays 0 .....	1736
Signed by Speaker .....	1766
Signed by Governor .....	1779
333 By Code Supervising Committee. Improvement bonds.	
Introduced .....	1714
Passed; ayes 98, nays 0 .....	1735
Signed by Speaker .....	1766
Signed by Governor .....	1779
334 By Code Supervising Committee. Session laws.	
Introduced .....	1718
Passed; ayes 96, nays 1 .....	1738
Signed by Speaker .....	1766
Signed by Governor .....	1779
335 By Code Supervising Committee. Historical building.	
Introduced .....	1714
Passed; ayes 94, nays 0 .....	1739
Signed by Speaker .....	1766
Signed by Governor .....	1779
336 By Aiken. Legalizing: Ida Grove.	
Introduced .....	1714
Passed; ayes 76, nays 2 .....	1740
Signed by Speaker .....	1766
Signed by Governor .....	1779
337 By Judiciary Committee. Legalizing: Union county.	
Introduced .....	1732
Passed; ayes 71, nays 8 .....	1741
Signed by Speaker .....	1766
Signed by Governor .....	1779
338 By Committee on Military Affairs. Parks.	
Introduced .....	1744
Passed; ayes 85, nays 1 .....	1744
Signed by Speaker .....	1766
Signed by Governor .....	1779
339 By Committee on Code Revision. Price of Code.	
Introduced .....	1745
Passed; ayes 83, nays 6 .....	1746
Signed by Speaker .....	1766
Signed by Governor .....	1779
340 By Committee on Animal Industry. Bovine tuberculosis.	
Introduced .....	1756
Passed; ayes 87, nays 7 .....	1760
Signed by Speaker .....	1776
Signed by Governor .....	1779
341 By Committee on Animal Industry. Bovine tuberculosis.	
Introduced .....	1757
Passed; ayes 89, nays 3 .....	1761
Signed by Speaker .....	1776
Signed by Governor .....	1779



# HISTORY OF SENATE BILLS IN HOUSE

## SENATE FILES PASSED AND APPROVED

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## RECORD OF JOINT RESOLUTIONS

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2 By Shane. A committee to investigate insurance and make recommendations to the 41st General Assembly.		ment	1671
Referred	1549	Indefinitely postponed	1683
Recommends amendment and passage	1646	3 By Committee on Code Revision. Recess of General Assembly and discharge of employees.	
Referred to appropriations	1647	Referred	1644
Recommends indefinite postpone-		Returned to Senate	1657

## RECORD OF EACH BILL

S. F.	Page	S. F.	Page
7 By Committee on Code Revision. Duties of the Governor.		15 By Committee on Code Revision. Filing and auditing claims against state.	
Recommends passage	273	Referred	388
Motion to refer to special committee	303	Amended, passed; ayes 69, nays 2	1665
Referred to special committee	311	Signed by Speaker	1710
Special committee appointed	324	17 By Committee on Code Revision. Duties of certain state officers.	
Recommends substitute amendments	774	Referred	182
Amendments filed	819	Recommends passage	403
Made special order	827	Passed; ayes 87, nays 0	437
Amendments filed	896	Signed by Speaker	452
Amendments filed	907	19 By Committee on Code Revision. Memorial halls—monuments for soldiers, sailors and marines.	
Amendments filed	913	Referred	209
Amendments adopted	921	Recommends passage	325
Passed; ayes 97, nays 0	922	Rereferred	376
Received back	1226	Recommends amendment and passage	1135
Refused to concur	1241	Amendment filed	1161
Conference report	1553	Amendments adopted	1168
Made special order	1583	Amended, passed; ayes 77, nays 6	1169
Report adopted	1588	Signed by Speaker	1332
Signed by Speaker	1685	21 By Committee on Code Revision. Nominations by primary elections.	
9 By Committee on Code Revision. Appropriations, drawing and expenditure thereof, and certain powers and duties of treasurer of state, and the security of public funds.		Referred to elections	847
Referred	275	Recommends amendment and passage	1048
Recommends amendment and passage	866	Amendments filed	1060
Amendments adopted	942	Amendments adopted	1074
Passed; ayes 70, nays 0	942	Amended	1077
House insisted	1056	Passed; ayes 99, nays 3	1078
Conference report	1385	Signed by Speaker	1216
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Recommends passage .....	532
Passed; ayes 95, nays 0 .....	559
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25 By Committee on Code Revision. Method of conducting elections.	
Referred .....	1122
Recommends passage .....	1149
Amended, passed; ayes 90, nays 3 .....	1195
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27 By Committee on Code Revision. Right of voter to vote when disabled, when absent from polls, or when in service of government or state.	
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Recommends amendments and passage .....	1048
Amendments adopted .....	1079
Passed; ayes 91, nays 0 .....	1079
House insisted .....	1182
Conference report .....	1343
Report adopted .....	1359
Signed by Speaker .....	1404
29 By Committee on Code Revision. Making statements of expenditures by candidates for office.	
Referred .....	275
Recommends passage .....	533
Passed; ayes 91, nays 2 .....	562
Signed by Speaker .....	633
31 By Committee on Code Revision. Time and manner of qualifying of elected and appointed officers.	
Referred .....	120
Recommends passage .....	471
Passed; ayes 86, nays 0 .....	513
Signed by Speaker .....	564
33 By Committee on Code Revision. Release of securities on bonds of public officers.	
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Amendments adopted .....	944
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35 By Committee on Code Revision. Vacancies in office.	
Referred .....	182
Recommends passage .....	579
Passed; ayes 83, nays 0 .....	675
Signed by Speaker .....	717
39 By Committee on Code Revision. Administration of oaths.	
Referred .....	120
Recommends amendment and	

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House insisted .....	162
Conference committee report .....	847
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41 By Committee on Code Revision. Coal mines, gypsum mines and mining.	
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Recommends amendment and passage .....	791
Amendments filed .....	828
Amendments adopted .....	833
Passed; ayes 99, nays 0 .....	834
Concurred .....	878
Signed by Speaker .....	1009
43 By Committee on Code Revision. Health and safety appliances and industrial accidents.	
Referred to labor .....	865
Recommends passage .....	980
Passed; ayes 94, nays 0 .....	1018
Signed by Speaker .....	1067
45 By Committee on Code Revision. Fire escapes and means of escape from fire.	
Referred .....	1191
Recommends amendment and passage .....	1214
Amendment adopted .....	1255
Passed; ayes 80, nays 0 .....	1256
Signed by Speaker .....	1345
47 By Committee on Code Revision. State free employment bureau.	
Referred .....	405
Recommends passage .....	448
Passed; ayes 75, nays 0 .....	498
Signed by Speaker .....	564
51 By Committee on Code Revision. Intoxicating liquors.	
Referred .....	754
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Amendments filed .....	894
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Signed by Speaker .....	1057
53 By Committee on Code Revision. State fire marshal—prevention and investigation of fires.	
Referred .....	209
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Made special order .....	585
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Signed by Speaker .....	717
55 By Committee on Code Revision. State board of conservation and state parks.	
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Passed; ayes 82, nays 1 .....	301
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Signed by Speaker .....	1404
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Amendments filed .....	936
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109 By Committee on Code Revision. Educational—school buildings and sites.	
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 203 By Committee on Code Revision. Cooperative associations.	
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271—By Committee on Code Revision. Abstracts of title in partition proceedings.		292 By Campbell. To legalize the action of board of directors of township of Elkhorn in the transfer of certain funds.	
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- GILBERTSON, O.**—Representative Ninety-first District.  
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**GRIMWOOD, E. A.—Representative Forty-seventh District.**

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Committee assignments.....vii to xi, 306, 1060, 1066, 1784	
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**JOHNSON, FRANCIS—Representative Ninety-seventh District.**

Committee assignments.....	vii to xi, 10, 627, 1021, 1046, 1095
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**KNUTSON, C. A.—Representative Eighty-seventh District.**

Bills introduced.....	54-A
Committee assignments.....	vii to xi, 808, 1046, 1361
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Amendments offered.....	490, 897, 947
Motions made.....	641, 654, 929, 1016, 1024, 1419, 1493, 1611, 1749, 1752
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Leave of absence granted.....	492, 686, 1587

**LAKE, FRANK C.—Representative Fifty-eighth District.**

Committee assignments.....	vii to xi, 1549
Petitions presented.....	174, 219, 831, 886
Amendments offered.....	230, 236, 338, 664, 912, 1090
Motions made.....	
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Leave of absence granted.....	589, 1021, 1031, 1035, 1047

**LEONARD, ARTHUR—Representative Eighth District.**

Committee assignments.....	vii to xi
Petitions presented.....	122, 152, 291
Motions made.....	1258, 1297, 1501
Leave of absence granted.....	71, 127, 852, 1425, 1467, 1612

**LETT, C. F.—Representative Twenty-third District.**

Committee assignments.....	vii to xi, 10
Petitions presented.....	86, 214, 353, 765
Amendments offered.....	1204, 1503
Motions made.....	346, 1504, 1505
Leave of absence granted.....	569, 584, 589, 938, 1316, 1355, 1651

**LICHTY, E. M.—Representative Sixty-sixth District.**

Bills introduced.....	286
Committee assignments.....	vii to xi
Leave of absence granted.....	492, 928, 1278, 1592, 1612

<b>LIEBERNECHT, ERNEST—Representative Twenty-second District.</b>	
Committee assignments .....	vii to xi, 10
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Leave of absence granted .....	406, 423, 584, 589, 765, 938, 1047, 1259, 1278, 1297, 1304, 1355, 1316, 1352, 1537
<b>LONG, WM. L.—Representative Nineteenth District.</b>	
Bills introduced .....	J. R. 5
Committee assignments .....	vii to xi, 1327
Petitions presented .....	127, 213
Motions made .....	283, 764, 957, 1330
Leave of absence granted .....	250, 865
<b>LOVRIEN, FRED C.—Representative Seventy-sixth District.</b>	
Committee assignments .....	vii to xi, 324, 400, 616, 808, 1266, 1327
Raised point of order .....	1750
Petitions presented .....	599, 1083
Amendments offered .....	114, 736, 842, 919, 921, 963, 1067, 1290, 1299, 1412 1440, 1456, 1626
Motions made .....	96, 184, 292, 541, 549, 594, 680, 755, 919, 996, 1072, 1242, 1243, 1248, 1425, 1637, 1641, 1667, 1767, 1771, 1775
Leave of absence granted .....	319, 406, 492, 555, 1331
<b>McCLUNE, J. C.—Representative Twenty-fifth District.</b>	
Bills introduced .....	294, 321
Committee assignments .....	vii to xi, 1600
Presided at session of house .....	1685, 1697
Explained vote .....	1755
Amendments offered .....	90, 105, 164, 232, 289, 505, 534, 573, 828, 1094, 1199, 1207, 1213, 1225, 1250, 1252, 1295, 1301, 1659
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Motions made .....	15, 66, 101, 102, 203, 231, 232, 236, 309, 437, 480, 575, 801, 833, 941, 942, 1094, 1213, 1218, 1221, 1224, 1225, 1251, 1295, 1306, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1520, 1596, 1599, 1654, 1664, 1760, 1761, 1762
Leave of absence granted .....	152, 211, 423, 481, 980, 1259, 1438, 1611
Raised point of order .....	576, 1353
<b>MABRY, J. C.—Code Commissioner.</b>	
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<b>MATHEWS, HOWARD A.—Representative Twenty-first District.</b>	
Committee assignments .....	vii to xi, 1327, 1519
Petitions presented .....	91, 140, 555
Amendments offered .....	734
Motions made .....	164, 625, 644, 736, 804, 1028, 1628, 1699
Leave of absence granted .....	492
<b>MATTHIESEN, E. C.—Representative Forty-fifth District.</b>	
Committee assignments .....	vii to xi
Petitions presented .....	91, 155, 831
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Leave of absence granted .....	325, 340, 398, 949, 1012, 1278, 1670
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Committee assignments .....	vii to xi, 2, 132, 324
Petitions presented .....	86, 1743
Motions made .....	818, 1592
Leave of absence granted .....	170, 174, 213, 658, 683, 686, 1047, 1259, 1331, 1438, 1611

## MOEN, T. E.—Representative Ninety-ninth District.

Bills introduced .....	1
Committee assignments .....	vii to xi, 324, 350, 1038, 1345
Petitions presented .....	91
Amendments offered .....	105, 817, 1010, 1200, 1244, 1246
Resolutions offered .....	106
Motions made .....	5, 6, 9, 15, 110, 129, 170, 280, 407, 556, 690, 706, 775, 826, 905, 907, 921, 922, 1148, 1240, 1308, 1391, 1466, 1467, 1516, 1538, 1553, 1582, 1695, 1730,
Leave of absence granted .....	71, 174, 203, 304, 1035, 1061, 1592, 1629

## NAPIER, T. W.—Representative Seventh District.

Committee assignments .....	vii to xi, 1123, 1327
Petitions presented .....	77, 850
Motions made .....	1102, 1467, 1592
Leave of absence granted .....	207, 1629

## NATVIG, OLE—Representative Ninety-second District.

Committee assignments .....	vii to xi, 1361
Petitions presented .....	85, 100, 107, 140
Motions made .....	635
Leave of absence granted .....	187, 507, 535, 938, 949, 980, 1592

## NOBLE, A. C.—Representative Forty-second District.

Committee assignments .....	vii to xi, 378, 566, 1182
Petitions presented .....	86, 175, 214, 507, 555
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## O'DONNELL, T. J.—Representative Sixty-ninth District.

Committee assignments .....	vii to xi, 554
Petitions presented .....	107, 122
Amendments offered .....	339, 397, 478, 656
Motions made .....	5, 484, 487, 498, 668, 845, 848, 952, 971, 1184, 1256, 1371, 1501, 1617, 1703
Leave of absence granted .....	211, 213, 291, 319, 569, 589, 599, 938, 1107, 1331

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## OLIVER, C. G.—Representative Fifty-seventh District.

Committee assignments .....	vii to xi, 378, 400, 849
Petitions presented .....	100, 444
Amendments offered .....	154, 226, 311, 427, 431, 472, 485, 504, 516, 605, 608, 677, 684, 691, 694, 697, 775, 962, 998, 1030, 1064, 1458
Motions made .....	6, 70, 235, 378, 425, 440, 527, 605, 611, 697, 720, 788, 997, 998
Leave of absence granted .....	1214 1503

## OLSON, JOHN—Representative Forty-fifth District.

Committee assignments .....	vii to xi	
Petitions presented .....	99, 137, 233,	821
Amendments offered .....		315
Motions made .....	281, 828, 1456, 1591, 1669,	1711
Leave of absence granted .....	461, 899, 914, 1278, 1298,	1304

## ONTJES, O. A.—Representative Sixty-fifth District.

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Amendments offered .....		
..... 303, 371, 466, 512, 738, 715, 933, 1010, 1075, 1082, 1493,		1638
Motions made .....	102, 318, 351, 353, 371, 467, 502, 543,	
563, 638, 682, 720, 721, 865, 913, 972, 981, 1166, 1181, 1412, 1587,		1640
Leave of absence granted .....	262, 325, 584, 866, 1259, 1278,	1517

## ORR, JOHN—Representative Twenty-fourth District.

Committee assignments .....	vii to xi	
Petitions presented .....		174, 233
Motions made .....	84, 218, 349,	1611
Leave of absence granted .....	211, 569, 589, 1012, 1209, 1247,	1259

## PARSONS, THOMAS—Representative Sixty-first District.

Bills introduced .....		287
Committee assignments .....	vii to xi, 462, 1546,	1784
Petitions presented .....	76, 262, 831, 913,	1149
Amendments offered .....	139, 217, 223, 259, 293, 391,	
392, 427, 466, 554, 706, 748, 755, 762, 804, 999, 1186, 1194, 1288,		1507
Motions made .....	225, 261, 348, 392, 460, 770, 781, 788, 920, 943,	
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Leave of absence granted .....		433

## PATTERSON, GEO. W.—Representative Eighty-fifth District.

Committee assignments .....	vii to xi, 349, 1361, 1546,	1600
Raised point of order .....		190
Petitions presented .....	77, 444, 481, 555,	852
Amendments offered .....	228, 702, 998, 1310,	1392
Resolutions offered .....		365
Motions made .....	169, 190, 234, 349, 467, 983, 1391, 1676, 1696,	1698
Leave of absence granted .....	584, 589, 1247,	1467

## PETERSON, NELS—Representative Twentieth District.

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Motions made .....	15, 422,	898
Leave of absence granted .....		174, 938

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<b>POTTS, GEO. W.—Representative First District.</b>		
Committee assignments .....	vii to xi, 616,	1549
Petitions presented .....		886
Amendments offered . . . . .	243, 270, 635, 653, 843, 1031, 1032, 1146, 1302,	1305
Resolutions offered .....		597
Motions made .....	246, 278, 314, 664, 666, 667,	
982, 983, 1027, 1028, 1029, 1032, 1299, 1300, 1301, 1306, 1307, 1401,		1402
Raised point of order .....		983
Leave of absence granted .....	140, 152, 155, 461, 765, 778,	938
<b>POWERS, T. E.—Representative Ninth District.</b>		
Committee assignments .....	vii to xi, 349, 566,	1088
Amendments offered .....		829
Motions made .....	161,	843
Explained vote .....		1755
Leave of absence granted .....	272, 1107, 1352,	1355
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<b>QUIRK, L. T.—Representative Sixtieth District.</b>	
Committee assignments.....	vii to xi, 2, 1046, 1345, 1768
Petitions presented .....	86, 165
Motions made .....	1246, 1537
Leave of absence granted.....	461, 914, 1035, 1061, 1297, 1467
<b>QUORUM—</b>	
Roll call to ascertain presence of.....	1, 200, 201, 202, 210, 1353, 1593, 1712, 1781
<b>RAMSEY, J. M.—Representative Seventy-third District.</b>	
Committee assignments .....	vii to xi, 3
Petitions presented .....	100, 445, 1083
Explained vote .....	1105
Motions made .....	953, 954
Leave of absence granted.....	174, 155, 203, 233, 325, 384, 507, 535, 584, 914, 938, 1047, 1061, 1278, 1293, 1352, 1355, 1425, 1503
<b>RANKIN, JOHN M.—Representative First District.</b>	
Bills introduced .....	307, 325
Committee assignments .....	vii to xi, 400, 1021
Amendments offered.....	487, 828, 837, 904, 974, 1026, 1029, 1324
Motions made .....	13, 15, 82, 83, 130, 154, 493, 549, 550, 673, 674, 690, 744, 767, 879, 972, 975, 1060, 1176, 1177, 1196, 1621, 1625, 1699, 1712, 1775, 1778, 1783
Leave of absence granted.....	85, 211, 213, 398, 423
<b>RASSLER, A. G.—Representative Seventy-seventh District.</b>	
Committee assignment .....	vii to xi, 324, 1519
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Petitions presented.....	100, 174, 250, 831
Amendment offered .....	129, 1328
Motions made .....	276, 372, 514 527, 778, 995, 1213, 1299, 1326, 1337, 1552, 1685, 1702, 1765, 1776, 1777
Leave of absence granted.....	203, 428, 866, 886, 1611
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<b>REWALT, FRED, JR.—Representative Seventy-second District.</b>	
Committee assignments.....	vii to xi, 400, 1784
Petitions presented.....	86, 215, 492, 850, 1731, 1743
Amendments offered .....	352, 502, 1488
Motions made.....	752, 1192, 1489, 1495, 1503, 1546, 1612
Leave of absence granted.....	211, 683, 933, 949
<b>RHINEHART, CHAS.—Representative Thirty-sixth District.</b>	
Committee assignments.....	vii to xi, 1123
Petitions presented .....	85, 686
Motions made .....	137, 624
Leave of absence granted.....	211, 1442

## ROBSON, PAUL N.—Representative Fifty-fourth District.

Bills introduced .....	291
Committee assignments.....	vii to xi, 849, 1123
Petitions presented .....	152, 214
Amendments offered .....	336, 653, 762, 913, 1000, 1423, 1440
Motions made.....	790, 799, 950, 967, 1064, 1065, 1377
Leave of absence granted.....	85, 213, 535, 555, 821, 1035, 1149, 1259, 1278, 1352, 1355, 1368, 1592

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Committee recommends amendment .....	1146
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Amendment adopted .....	1181

## RUMLEY, RALPH L.—Representative Sixth District.

Committee assignments .....	vii to xi
Motions made .....	140
Leave of absence granted.....	569, 832, 1304, 1377, 1592

## RUST, HEIKE—Representative Thirty-eighth District.

Committee assignments.....	vii to xi, 132, 1066, 1095
Motions made .....	1376
Leave of absence granted.....	82, 211, 213, 319, 325, 683, 1326

## SAMPSON, F. C.—Representative Thirty-fourth District.

Committee assignments.....	vii to xi, 627, 1066, 1095
Petitions presented .....	220
Motions made.....	407, 627, 1024, 1026, 1056, 1292, 1408
Leave of absence granted.....	325, 1352

## SAUNDERS, WM. E. G.—Representative Eighty-fourth District.

Committee assignments.....	vii to xi, 10, 383, 1266, 1526, 1531
Petitions presented.....	122, 127, 219, 1209
Amendments offered .....	1303
Leave of absence granted.....	85, 127, 140, 152, 203, 311, 406, 492, 658, 777, 899, 914, 1107, 1149, 1162, 1180, 1259, 1352, 1425

## SCHIRMER, W. F.—Representative Forty-sixth District.

Committee assignments.....	vii to xi, 554, 1526
Petitions presented.....	85, 214, 1331, 1368
Motions made.....	428, 436, 500, 855, 1611, 1650

## SCHULTE, H. H.—Representative Ninety-fourth District.

Committee assignments.....	vii to xi, 1784
Motions made .....	937, 1611
Leave of absence granted.....	507, 683, 1425

## SCOTT, C. H.—Representative Fourth District.

Committee assignments.....	vii to xi, 1519
Explains vote .....	120
Petitions presented .....	239
Amendments offered .....	1025, 1060
Motions made.....	90, 303, 443, 1150
Explains vote .....	120
Leave of absence granted.....	174, 938, 949, 964, 980, 995

## SCOTT, W. C.—Representative Tenth District.

Committee assignments .....	vii to xi, 1182
Petitions presented.....	121, 852, 1743

Amendments offered .....	1030
Motions made.....	1026, 1596, 1629, 1661
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Committee assignments .....	vii to xi, 350
Petitions presented.....	121, 165, 211, 214, 796
Amendments offered.....	230, 249, 307, 311, 376, 383, 491, 652, 1089, 1212
Motions made .....	131, 205, 237, 308, 315, 328, 440, 464, 521, 527, 713, 789, 876, 902, 1099, 1213, 1218, 1416, 1453, 1525, 1592
Leave of absence granted.....	569, 1149, 1331
<b>SMITH, C. D.—Representative Sixteenth District.</b>	
Committee assignments.....	vii to xi
Motions made.....	65, 383, 1610
Leave of absence granted.....	584, 686, 1278, 1297
<b>SMITH, WARD B.—Representative Eighty-ninth District.</b>	
Committee assignments.....	vii to xi, 349, 1327
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Motions made.....	139, 228, 392, 685, 1020, 1154, 1592, 1629, 1651
Leave of absence granted.....	1352
<b>STOCK, THEODORE—Representative Nineteenth District.</b>	
Bills introduced .....	300
Committee assignments .....	vii to xi, 1345, 1531
Petitions presented .....	76
Motions made.....	197, 1102, 1541, 1645
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<b>STOOKESBERRY, ARTHUR—Representative Third District.</b>	
Committee assignments .....	vii to xi
Petitions presented .....	86
Amendments offered .....	5
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 Motions made..69, 503, 623, 944, 1411, 1502, 1524, 1611, 1661, 1662, 1752, 1754  
 Leave of absence granted .....165, 980, 1149
- STRIPPEL, WERNER—Representative Forty-ninth District.**  
 Committee assignments .....vii to xi  
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- TREWIN, J. H.—**  
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- ULSTAD, OSCAR—Representative Seventy-fifth District.**  
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- VENARD, G. L.—**  
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 Petitions presented.....272, 445, 949  
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 Motions made.....160, 345, 405, 501, 1623, 1683  
 Leave of absence granted ..... 589
- VINCENT, EARL W.—Representative Thirty-fifth District.**  
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 Petitions presented ..... 250  
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 Amendments offered .....270, 1220, 1392, 1407, 1685  
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 Leave of absence granted.....85, 152, 584, 658, 821, 1352, 1467, 1637
- WAMSTAD, BREDE—Representative Ninety-third District.**  
 Committee assignments.....vii to xi, 808, 1327, 1546  
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 Motions made.....346, 470, 1467, 1592, 1612  
 Leave of absence granted.....291, 1331
- WEBER, JOHN H.—Representative Sixty-ninth District.**  
 Committee assignments.....vii to xi, 664  
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- WILSON, W. WALTER—Representative Fiftieth District.**  
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 Amendments offered ..... 1148  
 Motions made.....2, 132, 429, 1224, 1592  
 Leave of absence granted.....211, 213, 319, 683, 1149, 1182, 1355, 1651

**WILLIAMS, ALFRED—Representative Twelfth District.**

Committee assignments.....	vii to xi.	1600
Petitions presented .....		107
Amendments offered .....	237, 566, 947, 1288,	1290
Explains vote .....		1755
Motions made.....	172, 307, 375, 422,	
	574, 575, 576, 694, 854, 885, 982, 1203, 1416, 1429, 1454, 1467, 1675, 1686	
Leave of absence granted.....	66, 207, 492, 507, 658, 1107, 1352, 1355, 1592	

**WOLFE, THOMAS L.—Representative Forty-eighth District.**

Committee assignments.....	vii to xi, 1327, 1361,	1549
Petitions presented.....	77, 250, 686,	1149
Amendments offered .....	963, 1161,	1440
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Committee assignments.....	vii to xi, 163, 849,	1658
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Motions made.....	721, 1099, 1425,	1744
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